

Attendance Sheets

District	Last Name	Present	Absent	Present/Late
District 14 - Town of Wappinger	Amparo	✓		
District 4 - Town of Hyde Park	Black	✓		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	✓		
District 3 - Town of LaGrange	Borchert	✓		
District 8 - City and Town of Poughkeepsie	Brendli	✓		
District 22 - Towns of Beekman and Union Vale	Coviello	✓		
District 6 - Town of Poughkeepsie	Flesland	✓		
District 16 - Town of Fishkill and City of Beacon	Forman	✓		
District 21 - Town of East Fishkill	Horton	✓		
District 15 - Town of Wappinger	Incoronato	✓		
District 10 - City of Poughkeepsie	Jeter-Jackson	✓		
District 18 - City of Beacon and Town of Fishkill	Landisi	✓		
District 12 - Town of East Fishkill	Metzger	✓		
District 17 - Town and Village of Fishkill	Miccio	✓		
District 1 - Town of Poughkeepsie	Nesbitt	✓		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓		
District 9 - City of Poughkeepsie	Rieser	✓		
District 5 - Town of Poughkeepsie	Roman	✓		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	✓		
District 20 - Town of Red Hook	Strawinski	✓		
District 24 - Towns of Dover and Union Vale	Surman	✓		
District 23 - Towns of Pawling, Beckman and East Fishkill	Thomes	✓		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	✓		
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn	✓		
Present: 25	Total:	25	0	
Absent: 0				
Vacant: 0				

Date: 1/25/16

Regular Meeting
of the
Dutchess County Legislature

Monday, January 25, 2016

The Clerk of Legislature called the meeting to order at 7:00 p.m.

Roll Call by the Clerk of the Legislature

PRESENT: 25 Borchert, Miccio, Bolner, Strawinski, Amparo, Black,
Brendli, Coviello, Flesland, Forman, Horton, Incoronato,
Jeter-Jackson, Landisi, Metzger, Nesbitt, Pulver, Rieser,
Roman, Sagliano, Surman, Thomes, Truitt, Tyner,
Washburn

ABSENT: 0

PRESENT, LATE: 0

Quorum Present.

Pledge of Allegiance to the Flag; invocation given by Pastor Frank Windom of Rhinebeck United Methodist Church in Rhinebeck, followed by a moment of silent meditation.

Commendations and Proclamations

Commendation: Eagle Scout Philip Anderson

The Chairman entertained a motion from the floor, duly seconded, to suspend the rules to allow the public to address the Legislature with respect to agenda items.

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, questioned the difference between the Planning Board and the Planning Department. He added that he was against spot zoning in the City of Poughkeepsie.

No one else wishing to be heard, the Chairman entertained a motion from the floor, duly seconded, to resume the regular order of business.

Chairman Borchert entertained a motion to approve the December 2015 minutes.

The December 2015 minutes were adopted.

COMMUNICATIONS RECEIVED FOR THE JANUARY 2016 BOARD MEETING

Received from County Clerk, Summary of Mortgage Tax collected October 2015 – December 2015.

Received from Tama Bell, email questioning how the Crisis Stabilization Center would be utilized by families with mental illness.

Received from Doreen Tignanelli, Poughkeepsie, email regarding lead agency status and site contamination at the Justice and Transition Center.

Received from Valerie Carlisle, Pleasant Valley, email regarding initiatives for a productive and responsible justice system.

Received from Dutchess County District Attorney, District Attorney Designation, pursuant to County Law Section 702 (4).

Received from New York State Department of Public Services, notice of regional information sessions and public statement hearings regarding a petition seeking approval for Cablevision to transfer certain telephone and cable systems to Altice.

Received from Chenango County Board of Supervisors, Resolution #11-16, Calling on the State of New York to Restore Funding Parity Between the Capital Plans of the Metropolitan Transportation Authority (MTA) and the New York State Department of Transportation.

Received from Tompkins County Legislature, Resolution No. 2016-15, Resolution Calling Upon Congress to Reject the Trans-Pacific Partnership (TPP) Agreement.

Received from Dutchess County Executive, Annual Report for 2015.

RESOLUTION NO. 2016010

RE: ACCEPT GRANT WITH NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES AND AMENDING THE 2016 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF COMMUNITY & FAMILY SERVICES (A6070)

Legislators BORCHERT, THOMES, BOLNER, STRAWINSKI, FLESLAND, ROMAN, TRUITT, JETER-JACKSON, HORTON, RIESER, WASHBURN, LANDISI, INCORONATO, and FORMAN offer the following and move its adoption:

WHEREAS, the Commissioner of Community & Family Services has advised that the New York State Office of Children and Family Services has awarded a grant to the County entitled "New York: Safe Harbour Initiative for 2016" in the sum of \$120,000 for continuation in the Safe Harbour program, and

WHEREAS, the grant funds shall be used to: (a) conduct comprehensive assessment on human trafficking in the County, (b) provide comprehensive case management to targeted youth (c) subcontract with necessary agencies to create a human trafficking hotline, (d) work in collaboration with local agencies to provide safe housing for youth victims, (e) provide recognition and prevention training for first responders and medical professionals, and (f) develop a community awareness campaign, and

WHEREAS, it is necessary for this Legislature to authorize the acceptance of the grant and to amend the 2016 Adopted County Budget to provide for the receipt and expenditure of said funds, now therefore, be it

RESOLVED, that this Legislature hereby authorizes the County Executive to accept the grant award from New York State Office of Children and Family Services in connection with the above project, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized, empowered and directed to amend the 2016 Adopted County Budget as follows:

APPROPRIATIONS - Increase

A6070.4400.4407	Contract Agencies (Child Abuse Prev).	\$120,000
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REVENUES - Increase

A6070.36190.09	Child Care – Safe Harbour	\$120,000
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CA-012-16

kvh/G-0198-A 01/08/16

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

APPROVED


 MARCUS J. MOLINARO
 COUNTY EXECUTIVE

Date

1/29/2016

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess, have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 25th day of January 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 25th day of January 2016.


 CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☒ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS (To be completed by requesting department)

Total Current Year Cost \$ 120,000

Total Current Year Revenue \$ 120,000

and Source
New York State OCFS

Source of County Funds (check one): ☐ Existing Appropriations, ☐ Contingency,
☐ Transfer of Existing Appropriations, ☒ Additional Appropriations, ☐ Other (explain).

Identify Line Items(s):

A.6070.4400.4407
A.6070.36190.09

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$0
Over Five Years: _____

Additional Comments/Explanation:

Prepared by: Peter Simon Dir. of Administrative Services DCFS

Prepared On: 12/31/2015

Family and Human Services Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner *		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson (VC)		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 21 - Town of East Fishkill	Horton		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (C)		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		
Present: <u>12</u>	Resolution: <u>✓</u>	Total : <u>12</u>	<u>0</u>
Absent: <u>0</u>	Motion: <u>—</u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2016010 ACCEPT GRANT WITH NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES AND AMENDING THE 2016 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF COMMUNITY & FAMILY SERVICES

Date: January 21, 2016

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

Present: 25

Absent: 0

Vacant: 0

Resolution: ✓

Motion:

Total : 25 0

Yes No

Abstentions: 0

2016010 ACCEPT GRANT WITH NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES AND AMENDING THE 2016 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF COMMUNITY & FAMILY SERVICES

Date: January 25, 2016

RESOLUTION NO. 2016011

RE: AUTHORIZING GRANT AGREEMENT WITH NEW YORK STATE
DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES
AND AMENDING THE 2016 ADOPTED COUNTY BUDGET AS IT
PERTAINS TO THE DEPARTMENT OF EMERGENCY RESPONSE (A.3020)

Legislators BORCHERT, ROMAN, BOLNER, STRAWINSKI, TRUITT, FLESLAND, JETER-JACKSON, SAGLIANO, HORTON, LANDISI, and FORMAN offer the following and move its adoption:

WHEREAS, the New York State Division Of Homeland Security And Emergency Services has awarded the County a 2015/2016 Public Safety Answering Points Operations Grant (PSAP) to support important emergency management and response initiatives, and

WHEREAS, the PSAP grant will support: installation of the UPS for the 911 Communications Center; new 911 call processing system which will add police and fire calls to the medical system currently in place; personnel overtime costs for training in the new call processing system; training program and overtime costs for staff to attend PSAP supervisor training; overtime costs associated with staff attending ICS training; and costs associated with two staff members attending NYS 911 Coordinators Association Training; and; and

WHEREAS, it is necessary for this Legislature to authorize the execution of the grant agreement and to amend the 2016 Adopted County Budget to accept such funds and provide for the receipt and expenditure of said funds, now therefore, be it

RESOLVED, that this Legislature hereby authorizes the County Executive to accept the grant awards from the New York State Division of Homeland Security and Emergency Services in connection with the above projects and further authorizes and empowers the County Executive or his designee to execute said grant agreement and any amendments on behalf of the County of Dutchess, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized, empowered and directed to amend the 2016 Adopted County Budget as follows:

APPROPRIATIONS - Increase

A.3020.4412	Grant project costs	\$165,211
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REVENUES - Increase

A.3020.33890.13	PSAP sustainment	APPROVED	\$165,211
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CA-007-16 (1/04/16)

CAB/kvh/G-0148-A

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

Date

APPROVED


 MARCUS J. MOLINARO
 COUNTY EXECUTIVE

1/29/2016

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 25th day of January 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 25th day of January 2016.


 CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☒ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS (To be completed by requesting department)

Total Current Year Cost \$ 165,211

Total Current Year Revenue \$ 165,211

and Source
These grants are 100% reimbursable

Source of County Funds (check one): ☐ Existing Appropriations, ☐ Contingency,
☐ Transfer of Existing Appropriations, ☒ Additional Appropriations, ☐ Other (explain).

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$0
Over Five Years: \$0

Additional Comments/Explanation:

Prepared by: Laurie Colgan

Prepared On: 12/31/2015

Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 1 - Town of Poughkeepsie	Nesbitt (VC)		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman (C)		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 21 - Town of East Fishkill	Horton		

Present: 12
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: —

Total : 12 0
 Yes No
 Abstentions: 0

2016011 AUTHORIZING GRANT AGREEMENT WITH NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES AND AMENDING THE 2016 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF EMERGENCY RESPONSE

Date: January 21, 2016

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 17 - Town and Village of Fishkill	Miccio	<input type="checkbox"/>	<input type="checkbox"/>
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<input type="checkbox"/>	<input type="checkbox"/>
District 20 - Town of Red Hook	Strawinski	<input type="checkbox"/>	<input type="checkbox"/>
District 14 - Town of Wappinger	Amparo	<input type="checkbox"/>	<input type="checkbox"/>
District 1 - Town of Poughkeepsie	Nesbitt	<input type="checkbox"/>	<input type="checkbox"/>
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - Town of Hyde Park	Black	<input type="checkbox"/>	<input type="checkbox"/>
District 5 - Town of Poughkeepsie	Roman	<input type="checkbox"/>	<input type="checkbox"/>
District 6 - Town of Poughkeepsie	Flesland	<input type="checkbox"/>	<input type="checkbox"/>
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	<input type="checkbox"/>	<input type="checkbox"/>
District 8 - City and Town of Poughkeepsie	Brendli	<input type="checkbox"/>	<input type="checkbox"/>
District 9 - City of Poughkeepsie	Rieser	<input type="checkbox"/>	<input type="checkbox"/>
District 10 - City of Poughkeepsie	Jeter-Jackson	<input type="checkbox"/>	<input type="checkbox"/>
District 11 - Towns of Rhinebeck and Clinton	Tyner	<input type="checkbox"/>	<input type="checkbox"/>
District 12 - Town of East Fishkill	Metzger	<input type="checkbox"/>	<input type="checkbox"/>
District 15 - Town of Wappinger	Incoronato	<input type="checkbox"/>	<input type="checkbox"/>
District 16 - Town of Fishkill and City of Beacon	Forman	<input type="checkbox"/>	<input type="checkbox"/>
District 18 - City of Beacon and Town of Fishkill	Landisi	<input type="checkbox"/>	<input type="checkbox"/>
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	<input type="checkbox"/>	<input type="checkbox"/>
District 21 - Town of East Fishkill	Horton	<input type="checkbox"/>	<input type="checkbox"/>
District 22 - Towns of Beekman and Union Vale	Coviello	<input type="checkbox"/>	<input type="checkbox"/>
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	<input type="checkbox"/>	<input type="checkbox"/>
District 24 - Towns of Dover and Union Vale	Surman	<input type="checkbox"/>	<input type="checkbox"/>
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn	<input type="checkbox"/>	<input type="checkbox"/>

Present: 25

Absent: 0

Vacant: 0

Resolution: ✓

Motion:

Total : 25 0

Yes No

Abstentions: 0

2016011 AUTHORIZING GRANT AGREEMENT WITH NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES AND AMENDING THE 2016 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF EMERGENCY RESPONSE

Date: January 25, 2016

RESOLUTION NO. 2016012

RE: APPOINTMENT AND REAPPOINTMENTS TO THE DUTCHESS COUNTY FIRE
AND SAFETY ADVISORY BOARD

Legislators ROMAN, MICCIO, BOLNER, SAGLIANO, FLESLAND, HORTON, and
FORMAN offer the following and move its adoption:

WHEREAS, vacancies exists on the Dutchess County Fire and Safety Advisory Board due to
expired terms, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby appoint and reappoint the
following persons who have been nominated to fill such vacancies:

APPOINTMENT

TERM ENDING

CITIZEN REPRESENTATIVE

Michael R. Dooley
169 South Cross Road
Staatsburg, NY 12580
(Replacing John Guerra)

12/31/2018

REAPPOINTMENTS

TERM ENDING

FIRE CHIEF'S COUNCIL

Steve Shultis
107 Old Route 55
Stormville, NY 12582

12/31/2018

FIRE DISTRICT'S ASSOCIATION

Wilfred Finck
4 Victoria Lane
Beacon, NY 12508

12/31/2018

FIRE POLICE ASSOCIATION

Jack W. Schmidt
222 Sunset Drive
Wappingers Falls, NY 12590

12/31/2018

VOLUNTEER FIREMEN ASSOCIATION

Mary Zwecker
1824 Route 9G A-12
Staatsburg, NY 12580

12/31/2018

CITIZEN REPRESENTATIVE

Margie Licchiello
65 Elm Lane
Pleasant Valley, NY 12569
STATE OF NEW YORK

12/31/2018

COUNTY OF DUTCHESS

ss:

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 1/29/2016

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with
the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 25th day of January 2016, and that the
same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 25th day of January 2016.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

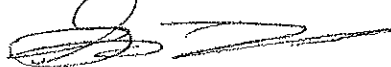
**DUTCHESS COUNTY FIRE AND SAFETY ADVISORY BOARD
392 CREEK RD.
POUGHKEEPSIE, NY 12601**

December 11, 2015

Chairman Rolison,

On behalf of the Dutchess County Fire and Safety Advisory Board I would like to nominate Michael Dooley to serve on the board as a "Citizen". Attached please find his letter and a copy of his resume.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Shultis', with a long horizontal flourish extending to the right.

Steven Shultis
Chairman

Michael R. Dooley
169 South Cross Road
Staatsburg, NY 12580
845-242-1311
mdooley@cenhud.com

11/24/2015

Laurie Colgan
Dutchess County Department of Emergency Response
392 Creek Road
Poughkeepsie, NY 12601

Dear Laurie Colgan:

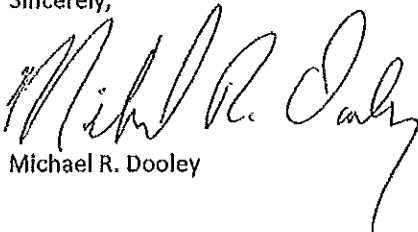
Dee Sagendorph suggested that I contact you regarding the opening on The Dutchess County Fire and Safety Advisory Board as a member representing the citizens of Dutchess County. My career at Central Hudson Gas & Electric, as well as past experience as the 911 Coordinator and current role as first responder for Central Hudson, along with my professional experience, makes me an excellent candidate for this opening.

I grew up in Dutchess County, having graduated from Spackenkill High School, Dutchess Community College with my Associate's Degree, Marist College with my Bachelor's Degree, and then at Marist College again for my Master's Degree. I have worked in Dutchess County my entire life for various organizations. Appreciating Dutchess County and all that it has to offer, I chose to buy a home here in Staatsburg with my wife Adrienne and our two sons: Benjamin, 4 and Alexander, 3.

To show my appreciation to Dutchess County for all that it has offered my family and I, I want to return the favor through volunteerism. After hearing about the opening on the Dutchess County Fire and Safety Advisory Board, I thought this would be a great opportunity to use my skills and knowledge to help others in Dutchess County.

If you have questions or concerns, please contact me at 845-242-1311. I look forward to hearing a response for the opportunity with The Dutchess County Fire and Safety Advisory Board.

Sincerely,



Michael R. Dooley

Michael R. Dooley

169 South Cross Road, Staatsburg, NY 12580 ■ (845) 242-1311 ■ mdooley@cenhud.com

Summary of Qualifications

- *Dedicated, articulate, and enthusiastic individual with strong analytical and organizational abilities.*
- *Ability to work independently or as an integral part of a team to accomplish goals.*
- *Experience prioritizing and completing numerous concurrent responsibilities while meeting time and organizational goals.*
- *Sound professional attitude, strong work ethic, and pride in personal performance.*

Education

MARIST COLLEGE, Poughkeepsie, NY
Master of Business Administration May 2014
Current Cumulative GPA – 3.72
Concentration: Finance

MARIST COLLEGE, Poughkeepsie, NY
Bachelor of Science Degree – Business Administration May 2008
Cumulative GPA – 3.58
Concentration: Finance
Awards: Academic Excellence Scholarship
Member of Emerging Leaders Program

Professional Experience

Project Manager – Central Hudson Gas & Electric, Poughkeepsie, NY (July 2015-Present)

- *Demonstrated expertise working as a Project Manager supporting the Transportation Department of Central Hudson.*
- *Responsibilities include: successful replacement of existing mainframe application with web-based fleet management system; manage the installation of ~1,000 telematics units on all fleet equipment; create and manage the fleet replacement program; create and manage budgets and policies associated with Central Hudson's fleet; certified emergency responder for gas odor complaints; Supervisor-On-Call for after-hours electric and gas issues requiring first responder.*

Associate District Director – Central Hudson Gas & Electric, Poughkeepsie, NY (May 2014-June 2015)

- *Demonstrated expertise working as an Associate District Director in the Customer Service division of Central Hudson.*
- *Responsibilities include: point-of-contact for all commercial, industrial, and municipal customers in the Kingston/Catskill district; design and manage all electric and gas installations and revisions for commercial, industrial, and municipal customers; manage street light programs for various municipalities; certified emergency responder for gas odor complaints; Supervisor-On-Call for after-hours electric and gas issues requiring first responder.*

Financial Analyst – Central Hudson Gas & Electric, Poughkeepsie, NY (May 2011-April 2014)

- *Demonstrated expertise working as a Financial Analyst supporting several divisions of Central Hudson.*
- *Responsibilities include: assist Division VPs in creation of yearly Business Plan, create yearly budget as well as five-year forecast of expenses, deep-dive analysis of monthly expenses, hosting monthly presentations with executives, perform NPV analysis of prospective capital projects, completion of financial reviews for all Green Belt-level Lean Six Sigma projects, complete yearly statistical analytics for Employee Engagement Survey.*

Employment

Cost Financial Analyst – IBM, East Fishkill, NY (2008-2011)
Construction Estimator – Ben Ciccone, Inc., Poughkeepsie, NY (2007-2008)
Construction Project Manager - GWR Poughkeepsie Construction, Inc., Poughkeepsie, NY (2002-2006)

Skills

- *Computer skills: Microsoft Access, Microsoft Word, Microsoft Excel, Microsoft PowerPoint, Microsoft Project, Hyperion, Clarity Systems, Cognos, and various specialty systems.*
- *Language skills: Demonstrated presentation skills and basic Spanish communication skills.*

References available upon request

Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
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District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 21 - Town of East Fishkill	Horton		

Present: 12
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion:

Total : 12 0
 Yes No
 Abstentions: 0

2016012 APPOINTMENT AND REAPPOINTMENTS TO THE DUTCHESS COUNTY FIRE AND SAFETY ADVISORY BOARD

Date: January 21, 2016

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 17 - Town and Village of Fishkill	Miccio	<input type="checkbox"/>	<input type="checkbox"/>
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<input type="checkbox"/>	<input type="checkbox"/>
District 20 - Town of Red Hook	Strawinski	<input type="checkbox"/>	<input type="checkbox"/>
District 14 - Town of Wappinger	Amparo	<input type="checkbox"/>	<input type="checkbox"/>
District 1 - Town of Poughkeepsie	Nesbitt	<input type="checkbox"/>	<input type="checkbox"/>
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - Town of Hyde Park	Black	<input type="checkbox"/>	<input type="checkbox"/>
District 5 - Town of Poughkeepsie	Roman	<input type="checkbox"/>	<input type="checkbox"/>
District 6 - Town of Poughkeepsie	Flesland	<input type="checkbox"/>	<input type="checkbox"/>
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	<input type="checkbox"/>	<input type="checkbox"/>
District 8 - City and Town of Poughkeepsie	Brendli	<input type="checkbox"/>	<input type="checkbox"/>
District 9 - City of Poughkeepsie	Rieser	<input type="checkbox"/>	<input type="checkbox"/>
District 10 - City of Poughkeepsie	Jeter-Jackson	<input type="checkbox"/>	<input type="checkbox"/>
District 11 - Towns of Rhinebeck and Clinton	Tyner	<input type="checkbox"/>	<input type="checkbox"/>
District 12 - Town of East Fishkill	Metzger	<input type="checkbox"/>	<input type="checkbox"/>
District 15 - Town of Wappinger	Incoronato	<input type="checkbox"/>	<input type="checkbox"/>
District 16 - Town of Fishkill and City of Beacon	Forman	<input type="checkbox"/>	<input type="checkbox"/>
District 18 - City of Beacon and Town of Fishkill	Landisi	<input type="checkbox"/>	<input type="checkbox"/>
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	<input type="checkbox"/>	<input type="checkbox"/>
District 21 - Town of East Fishkill	Horton	<input type="checkbox"/>	<input type="checkbox"/>
District 22 - Towns of Beekman and Union Vale	Coviello	<input type="checkbox"/>	<input type="checkbox"/>
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	<input type="checkbox"/>	<input type="checkbox"/>
District 24 - Towns of Dover and Union Vale	Surman	<input type="checkbox"/>	<input type="checkbox"/>
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn	<input type="checkbox"/>	<input type="checkbox"/>

Present: 25

Absent: 0

Vacant: 0

Resolution: ☒

Motion: ☐

Total : 25 0

Yes No

Abstentions: 0

2016012 APPOINTMENT AND REAPPOINTMENTS TO THE DUTCHESS COUNTY FIRE AND SAFETY ADVISORY BOARD

Date: January 25, 2016

RESOLUTION NO. 2016013

RE: AUTHORIZATION TO ACQUIRE A FEE ACQUISITION
AND A PERMANENT EASEMENT FROM SUSAN K.
HUYSER AND MATTHEW B. KOBALKIN, IN
CONNECTION WITH THE PROJECT KNOWN
AS REHABILITATION OF BRIDGE RH-25, COUNTY
ROUTE 78 (BROADWAY) OVER STONY CREEK,
IN THE VILLAGE OF TIVOLI

Legislators PULVER, MICCIO, BOLNER, STRAWINSKI, SAGLIANO,
and THOMES offer the following and move its adoption:

WHEREAS, the Department of Public Works has proposed the improvement of Bridge RH-25, County Route 78 (Broadway) over the Stony Creek, in the Village of Tivoli, which project includes the acquisition in Fee of a 843+/- square foot parcel as shown on Map 1, Parcel 1, and, the acquisition of a Permanent Easement to a 269+/- square foot parcel as shown on Map 4, Parcel 4, Parcel Identification Number 134803-6175-19-578025-0000, to facilitate the construction, reconstruction and continued maintenance of Bridge RH-25 on County Route 78 (Broadway) over Stony Creek in the Village of Tivoli; and

WHEREAS, the Department of Public Works has determined that the improvement project (1) constitutes a Type II action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, it is the purpose of this Legislature in adopting this resolution to adopt and confirm the findings of the Department of Public Works, and

WHEREAS, the Department of Public Works has made a determination that in order to maintain said bridge, it is necessary to acquire a portion of real property which is located at County Route 78 (Broadway), in the Village of Tivoli, presently owned by Susan K. Huyser and Matthew B. Kobalkin, and

WHEREAS, the total purchase price to acquire in Fee the 843+/- square foot parcel as shown on Map 1, Parcel 1, is \$2,060.00, and, the purchase price to acquire a Permanent Easement to the 269+/- square foot parcel as shown on Map 4, Parcel 4, is \$440.00, to Susan K. Huyser and Matthew B. Kobalkin, and

WHEREAS, a proposed Agreement to Purchase Real Property between the County and the property owner is annexed hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the fee acquisition and Permanent easement, be purchased for the sum of \$2,500.00, plus an authorization to spend up to \$1,000.00 in related expenses; NOW, therefore, be it

RESOLVED, that this Legislature hereby adopts and confirms the determination of the Dutchess County Department of Public Works that the project, including the acquisition of the property described in the aforesaid Agreement in the Village of Tivoli, will not have a significant effect on the environment, and be it further

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property in substantially the same form as annexed hereto along with any other necessary documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of a deed for the fee acquisition and Permanent Easement to the aforementioned lands, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that payment be made to the property owner in the sum of \$2,500.00 for the fee acquisition and Permanent Easement. In addition, the County is authorized to spend up to \$1,000.00 in related expenses and necessary filing fees for such conveyances.

CA-008-16

CAB/sjm/R-0951-E

12/30/15

Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 1/29/2016

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 25th day of January 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 25th day of January 2016.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 3,500

Total Current Year Revenue \$ 3,325
and Source

Source of County Funds (check one): ☒ Existing Appropriations, ☐ Contingency,
☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☐ Other (explain).

Identify Line Items(s):

Related Expenses: Amount \$ 1,000
Nature/Reason:

Anticipated Savings to County: \$ 3,325

Net County Cost (this year): \$ 175
Over Five Years: _____

Additional Comments/Explanation:

PIN 8757.26: Rehabilitation of Bridge RH-25 (BIN 1047720), CR 78 (Broadway) Over Stony Creek, Village of Tivoli Dutchess County.

This Fiscal Impact Statement pertains to the Resolution Request for authorization to acquire in Fee a 843+/- Square Foot parcel as shown on (Map 1, Parcel 1) with the purchase price of \$1,560.00 and authorization to acquire a Permanent Easement to a 269+/- Square Foot parcel as shown on (Map 4, Parcel 4) with the purchase price of \$440.00 along with the Land Improvement compensation amount of \$500.00 from Susan K. Huyser and Matthew B. Kobalkin.

Related expenses in the amount of \$1,000 are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis

Prepared On: 12/18/15

AGREEMENT TO PURCHASE REAL PROPERTY

Project: CR 78 (Broadway) over the Stony Creek (BIN 1047720), County Bridge RH-25 PIN: 8757.26
Map.Nos.: 01 & 04 Parcels: 1 & 4

This Agreement by and between SUSAN K. HUYSER and MATTHEW B. KOBALKIN hereinafter referred to as "Seller", and the COUNTY OF DUTCHESS hereinafter referred to as "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey:

- ☒ *all right title and interest to 843± square feet of real property*
- ☒ *a permanent easement to 269± square feet of real property*
- ☐ *a temporary easement to ± square feet of real property*

Located at 35 Broadway, Village of Tivoli, Town of Red Hook, Dutchess County, New York, further described as:

Being a portion of those same lands described in that certain Bargain and Sale Deed dated July 26, 2006 and recorded August 15, 2006 in Instrument # 02 20066572 in the Office of the County Clerk for Dutchess County, New York (Tax Map No. 6175-19-578025), and being the same lands designated as parcel 1 & 4 on Exhibit "A", attached hereto.

- 2. **IMPROVEMENTS INCLUDED IN THE PURCHASE.** The following improvements, if any, now in or on the property are included in this Agreement: landscaping.
- 3. **PURCHASE PRICE.** The total purchase price is TWO THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS (\$2,500.00). This price includes the real property described in paragraph 1 and the improvements described in paragraph 2, if any, and the items described in paragraph 13, if any.
- 4. **PAYMENT.** All by check at closing.
- 5. **CLOSING DATE AND PLACE.** Transfer of Title shall take place at the Dutchess County Clerk's Office, or at another mutually acceptable location, on or about 90 days from the date of the fully approved agreement.
- 6. **BUYER'S POSSESSION OF THE PROPERTY.** For fee simple acquisitions and permanent easements, the Buyer shall have possession of the property rights on the day payment is received by the Seller. Any closing documents received by the municipality prior to payment pursuant to paragraph 5 above, shall be held in escrow until such payment has been received by the Seller or the Seller's agent.
- 7. **TITLE DOCUMENTS.** Buyer shall provide the following documents in connection with the sale:
 - A. Deed. Buyer will prepare and deliver to the Seller for execution at the time of closing all documents required to convey the real property interest(s) described in paragraph 1 above.
 - B. Abstract, Bankruptcy and Tax Searches, and Acquisition Map. Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.
- 8. **MARKETABILITY OF TITLE.** Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document

action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. Seller agrees to cooperate with Buyer in its curative action activities. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing.

9. RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS. Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of closing: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.
10. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
11. ENTIRE AGREEMENT. This agreement when signed by both the Buyer and the Seller will be the record of the complete agreement between the Buyer and Seller concerning the purchase and sale of the property. No verbal agreements or promises will be binding.
12. NOTICES. All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.
13. ADDENDA. The following Addenda are incorporated into this agreement:
[] Cost to Cure [] Other _____

IN WITNESS WHEREOF, on this 14th day of December, 2015, the parties have entered into this Agreement.

Witness: _____

Susan K. Huyser
Susan K. Huyser

Witness: _____

Matthew B. Kobalkin
Matthew B. Kobalkin

COUNTY OF DUTCHESS

Witness: _____

By: _____

Print Name: _____

Title: _____

Date: _____, 2015

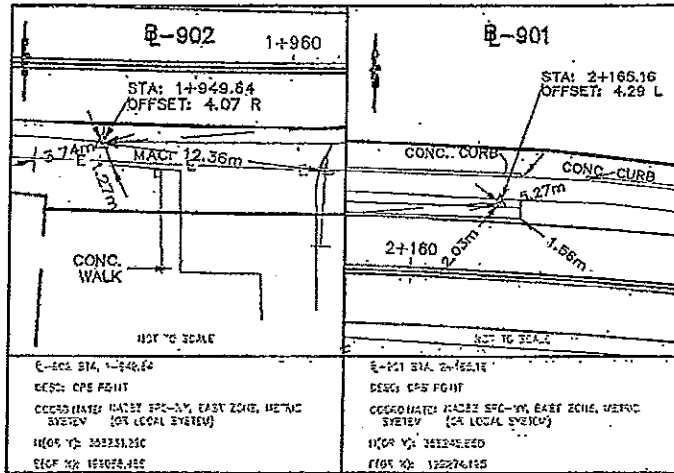


EXHIBIT A
COUNTY OF DUTCHESS
ACQUISITION MAP

CR 78 (BROADWAY) OVER STONY
CREEK (BIN 1047720) COUNTY
BRIDGE RH-25

PIN 8757.25

MAP NO. 1
PARCEL NO. 1
SHEET 1 OF 2



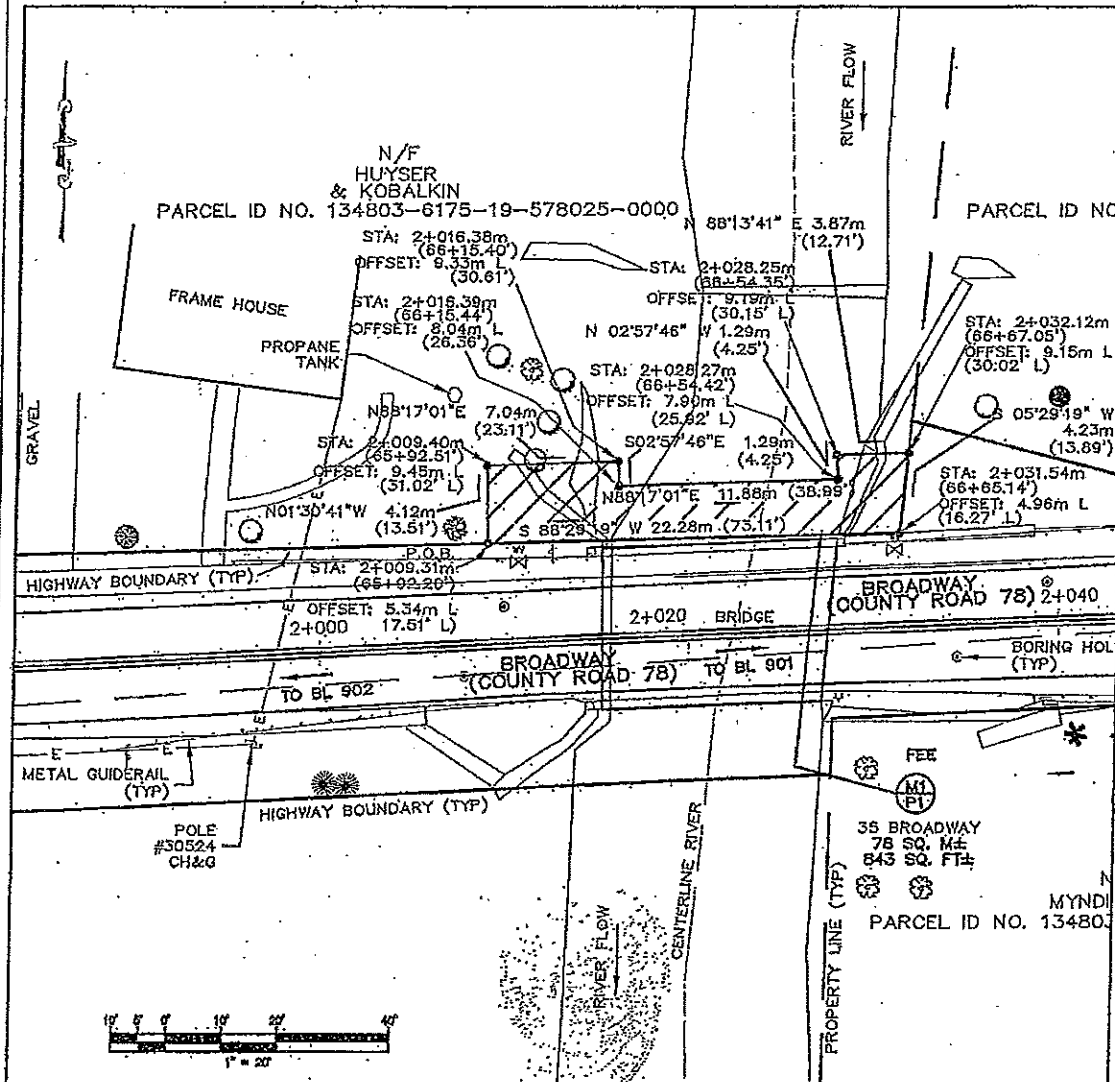
ACQUISITION DESCRIPTION:

Type: FEE
Portion of Real Property Tax
Parcel ID No. 134803-6175-19-578025-0000

Village of Tivoli
Town of Red Hook
County of Dutchess
State of New York

REPUTED OWNER(s):

Susan K. Huyser
Mothew B. Kobalkin
35 Broadway
Tivoli, NY 12583
Document #: 02-2006-6572



ORIGINAL OF THIS MAP (SHEETS 1 & 2)
ARE ON FILE AT THE OFFICES OF THE DUTCHESS
COUNTY DEPARTMENT OF PUBLIC WORKS

MAP NUMBER 1
REVISED DATE 12/02/15
DATE PREPARED 1/28/15

PREPARED BY DN

CHECKED BY TBC

FINAL CHECK BY ET



EXHIBIT A
COUNTY OF DUTCHESS
ACQUISITION MAP

CR 78 (BROADWAY) OVER STONY
CREEK (BIN 1047720) COUNTY
BRIDGE RH-25

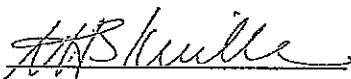
PIN 8757.26

MAP NO. 1
PARCEL NO. 1
SHEET 2 OF 2

All that piece or parcel of property hereinafter designated as Map No. 1, Parcel No. 1, situate in the Village of Tivoli, Town of Red Hook, County of Dutchess, State of New York, as shown on the accompanying map and described as follows: Beginning at a point on the northerly boundary of the existing Broadway, aka County Road 78, said point being 5.34 meters (17.51 feet) left, measured at right angles, from STA 2+009.31 meters of the centerline of Broadway, aka County Road 78; thence through the property of Huyser & Kobalkin (reputed owners) the following six (6) courses and distances: (1) N 1 degrees 30 minutes 41 seconds W 4.12 meters (13.51 feet) to a point 9.45 meters (31.02 feet) left, measured at right angles from STA 2+009.40 meters of the centerline of Broadway, aka County Road 78; (2) N 88 degrees 17 minutes 01 seconds E 7.04 meters (23.11 feet) to a point 9.33 meters (30.61 feet) left, measured at right angles from STA 2+016.38 meters of the centerline of Broadway, aka County Road 78; (3) S 02 degrees 57 minutes 46 seconds E 1.29 meters (4.25 feet) to a point 8.04 meters (26.36 feet) left, measured at right angles from STA 2+016.39 meters of the centerline of Broadway, aka County Road 78; (4) N 88 degrees 17 minutes 01 seconds E 11.88 meters (38.99 feet) to a point 7.90 meters (25.92 feet) left, measured at right angles from STA 2+028.27 meters of the centerline of Broadway, aka County Road 78; (5) N 02 degrees 57 minutes 46 seconds E 1.29 meters (4.25 feet) to a point 9.19 meters (30.15 feet) left, measured at right angles from STA 2+028.25 meters of the centerline of Broadway, aka County Road 78; and (6) N 88 degrees 13 minutes 41 seconds E 3.87 meters (12.71 feet) to a point 9.15 meters (30.02 feet) left, measured at right angles from STA 2+032.12 meters of the centerline of Broadway, aka County Road 78; thence S 05 degrees 29 minutes 19 seconds 4.23 meters (13.89 feet) to a point 4.96 meters (16.27 feet) left, measured at right angles from STA 2+031.54 meters of the centerline of Broadway, aka County Road 78; thence along the northerly boundary of the existing Broadway, aka County Road 78, S 88 degrees 29 minutes 19 seconds W 22.28 meters (73.11 feet) to the point and place of beginning; being 78 square meters (843 square feet) more or less of which 36 square meters (388 square feet) is under water.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

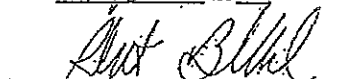
Date 12-8 2015



Noel H.S. Knille, AIA, ASLA
Commissioner of Public Works

Recommended by:

Date 12/8 2015



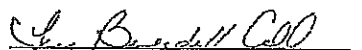
Robert H. Balkind, P.E.
Deputy Commissioner of Public Works



"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date: July 30, 2015


Terry Bergendorff Collins, Land Surveyor
P.L.S. License No. 49691
Terry Bergendorff Collins Land Surveying
52 Starr Ridge Road
Brewster, NY 10509

MAP NUMBER 1
REVISED DATE 12/02/15
DATE PREPARED 4/28/15

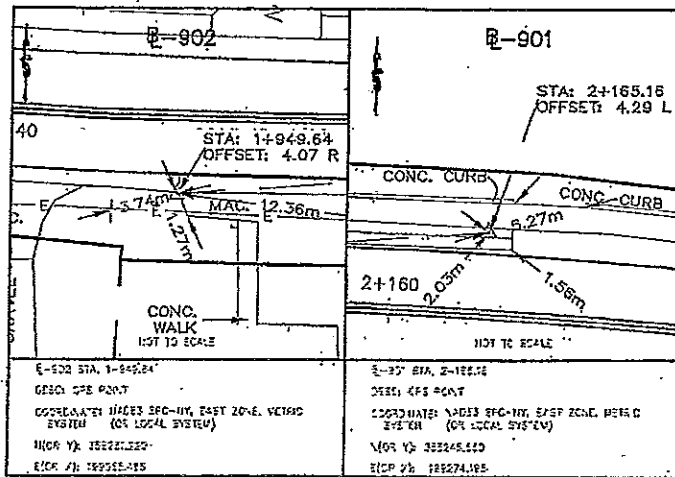


EXHIBIT A
COUNTY OF DUTCHESS
ACQUISITION MAP

CR 78 (BROADWAY) OVER STONY
CREEK (BIN 1047720) COUNTY
BRIDGE RH-25

PIN 8757.26

MAP NO. 4
PARCEL NO. 4
SHEET 1 OF 2



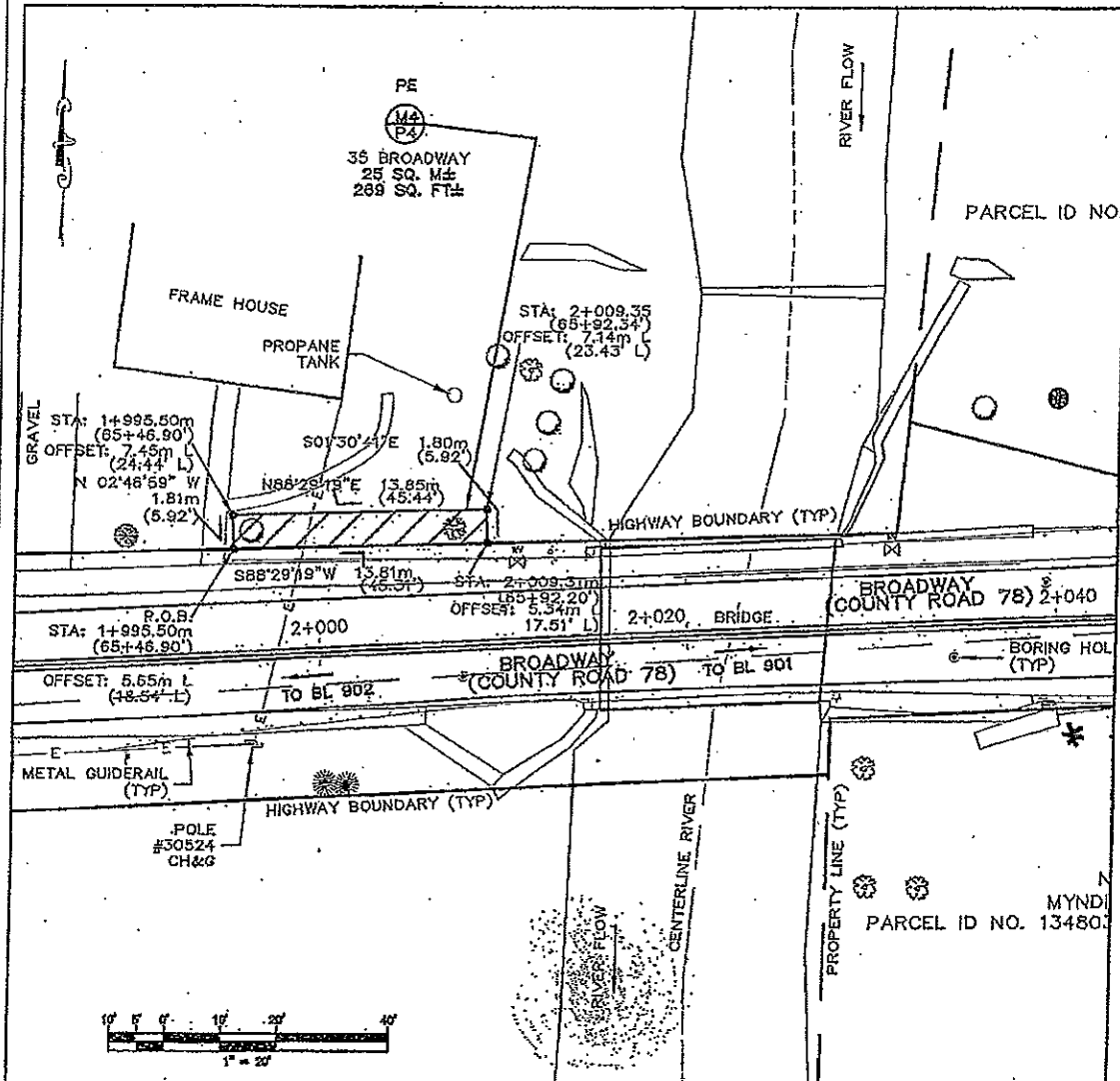
ACQUISITION DESCRIPTION:

Type: PE
Portion of Real Property Tax
Parcel ID No. 134803-6175-19-578025-0000

Village of Tivoli
Town of Red Hook
County of Dutchess
State of New York

REPUTED OWNER(s):

Susan K. Huyser
Mathew B. Kobolkin
35 Broadway
Tivoli, NY 12583
Document #: 02-2006-6572



ORIGINAL OF THIS MAP (SHEETS 1 & 2)
ARE ON FILE AT THE OFFICES OF THE DUTCHESS
COUNTY DEPARTMENT OF PUBLIC WORKS

MAP NUMBER 4
REVISED DATE 12/02/15
DATE PREPARED 5/10/15

PREPARED BY DU

CHECKED BY TEG

FINAL CHECK BY EF



EXHIBIT A
COUNTY OF DUTCHESS
ACQUISITION MAP

CR 78 (BROADWAY) OVER STONY
CREEK (BIN 1047720) COUNTY
BRIDGE RH-25

PIN 8757.28

MAP NO. 4
PARCEL NO. 4
SHEET 2 OF 2

Description for easement.

A permanent easement to be exercised in, on, and over the property above for the purpose of permanent access to the Northwest quadrant of local bridge RH-25 (BIN 1047720) for the purposes of completing the rehabilitation project, as well as future needs to maintain the structure and associated stream bank, in all that piece or parcel of property hereinafter designated as Map No. 4, Parcel No. 4, situated in the Village of Tivoli, Town of Red Hook, County of Dutchess, State of New York, as shown on the accompanying map and described as follows:

All that piece or parcel of property hereinafter designated as Map No. 4, Parcel No. 4, situate in the Village of Tivoli, Town of Red Hook, County of Dutchess, State of New York, as shown on the accompanying map and described as follows:

Beginning at a point on the northerly boundary of the existing Broadway, aka County Road 78, said point being 5.65 meters (18.54 feet) left, measured at right angles, from STA 1+995.50 meters of the centerline of Broadway, aka County Road 78; thence through the property of Huyser & Kobalkin (reputed owners) the following three (3) courses and distances: (1) N 2 degrees 46 minutes 59 seconds W 1.81 meters (5.92 feet) to a point 7.45 meters (24.44 feet) left, measured at right angles from STA 1+995.50 meters of the centerline of Broadway, aka County Road 78; (2) N 88 degrees 29 minutes 19 seconds E 13.85 meters (45.44 feet) to a point 7.14 meters (23.43 feet) left, measured at right angles from STA 2+009.35 meters of the centerline of Broadway, aka County Road 78; and (3) S 01 degrees 30 minutes 41 seconds E 1.80 meters (5.92 feet) to a point 5.34 meters (17.51 feet) left, measured at right angles from STA 2+009.31 meters of the centerline of Broadway, aka County Road 78; thence along the northerly boundary of the existing Broadway, aka County Road 78, S 88 degrees 29 minutes 19 seconds W 13.81 meters (45.31 feet) to the point and place of beginning; being 25 square meters (269 square feet) more or less.

RESERVING, however, to the owner of any right, title and interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for the construction or reconstruction of the herein identified project.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date 12-8 20 15

Attila Skille

Noel H.S. Knille, AIA, ASLA
Commissioner of Public Works

Recommended by:

Date 12/8 20 15

Robert H. Balkind

Robert H. Balkind, P.E.
Deputy Commissioner of Public Works

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is on accurate description and map made from an accurate survey, prepared under my direction.

Date: July 30, 2015



Terry Bergendorff Collins
Terry Bergendorff Collins, Land Surveyor
P.L.S. License No. 49691
Terry Bergendorff Collins Land Surveying
52 Starr Ridge Road
Brewster, NY 10509

MAP NUMBER 4
REVISED DATE 12/02/15
DATE PREPARED 5/29/15

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver (C)		

Present: <u>12</u>	Resolution: <u>✓</u>	Total : <u>12</u>
Absent: <u>0</u>	Motion: <u> </u>	Yes <u>0</u>
Vacant: <u>0</u>		No <u>0</u>

2016013 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION AND A PERMANENT EASEMENT FROM SUSAN K. HUYSER AND MATTHEW B. KOBALKIN, IN CONNECTION WITH THE PROJECT KNOWN AS REHABILITATION OF BRIDGE RH-25, COUNTY ROUTE 78 (BROADWAY) OVER STONY CREEK, IN THE VILLAGE OF TIVIOLI

Date: January 21, 2016

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

Present: 25

Resolution: ✓

Total : 25 0

Absent: 0

Motion:

Yes No

Vacant: 0

Abstentions: 0

2016013 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION AND A PERMANENT EASEMENT FROM SUSAN K. HUYSER AND MATTHEW B. KOBALKIN, IN CONNECTION WITH THE PROJECT KNOWN AS REHABILITATION OF BRIDGE RH-25, COUNTY ROUTE 78 (BROADWAY) OVER STONY CREEK, IN THE VILLAGE OF TIVIOLI

Date: January 25, 2016

RESOLUTION NO. 2016014

RE: AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE (PIN 8755.38)

Legislators PULVER, MICCIO, BOLNER, SAGLIANO, HORTON, INCORONATO, COVIELLO, LANDISI, and FORMAN offer the following and move its adoption:

WHEREAS, a project for the Beekman Road from Sylvan Lake Road to the Taconic State Parkway, in the Town of Beekman, Dutchess County, PIN 8755.38 is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, Dutchess County desires to advance the above subject project by making a commitment of 100% of the non-federal share of the costs of right-of-way acquisition, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby approves of the above subject project, and it is further

RESOLVED, that the Dutchess County Legislature hereby authorizes the County of Dutchess to pay in the first instance 100% of the federal and non-federal share of the cost of the right-of-way acquisition work for the Project or portions thereof, and it is further

RESOLVED, that the sum of \$681,696.00 is hereby appropriated and made available pursuant to Bond H-0384-2007 Roads (ISTEA-TEA21) to cover the cost of participation in the above phase of the Project, and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Dutchess County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Executive thereof, and it is further

RESOLVED, that the County Executive or his designee be and he hereby is authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of Dutchess County with the New York State Department of Transportation in connection with the advancement or approval of the above referenced project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs and all project costs within appropriations therefor that are not so eligible, and it is further

RESOLVED, that a copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the project, and it is further

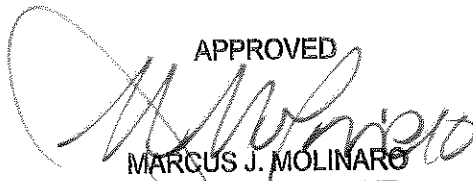
RESOLVED, that this resolution shall take effect immediately.

CA-004-16

CAB/kvh/R-0934

12/31/15

Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 1/29/2016

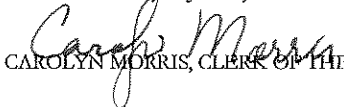
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 25th day of January 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 25th day of January 2016.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 681,696

Total Current Year Revenue \$ 545,357
and Source

Source of County Funds (check one): ☒ Existing Appropriations, ☐ Contingency,
☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☐ Other (explain).

Identify Line Items(s):

H0384.5110.3250.213

Related Expenses: Amount \$

Nature/Reason:

Anticipated Savings to County:

Net County Cost (this year): \$136,339

Over Five Years:

Additional Comments/Explanation:

This F.I.S. is related to the resolution request to accept Supplemental Agreement # 4 for ROW Acquisition funds and to extend the Agreement to 12/30/2020 for PIN 8755.38 CR 9 Beekman Rd.:Sylvan Lake Rd. to TSP, Town of Beekman.

Prepared by: Rosanne M. Hall, Contract Specialist, 486-2924

Prepared On: 12/07/15

Supplemental Agreement Cover for Local Agreements (11/12)

MUNICIPALITY/SPONSOR: **Dutchess County**

PIN: **8755.38**

BIN: **n/a**

Comptroller's Contract No: **D024641**

Supplemental Agreement No. **4**

Date Prepared & By: **11/30/2015dh**

SUPPLEMENTAL AGREEMENT NO 4 to D024641

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at
50 Wolf Road, Albany, New York, 12232, on behalf of New York State ("State");

And

Dutchess County (the Municipality/Sponsor)

Acting by and through the **Commissioner of Public Works**

With its office at **22 Market Street, Poughkeepsie, Dutchess County, New York**

This amends the existing Agreement between the parties in the following respects only:

X Amends a previously adopted Schedule A by:

☐ amending a project description

X amending the contract end date

X amending the scheduled funding by:

X adding additional funding:

X adding **ROW Acquisition** phase which covers eligible costs incurred
on/after _____

☐ adding 1,2,3 phase which covers eligible costs incurred on/after xxxxxx

☐ increasing funding for a project phases(s)

☐ adding a pin extension

☐ change from Non-Marchiselli to Marchiselli

☐ deleting/reducing a project phase(s)

☐ other (xxxxx)

☐ Amends a previously adopted Schedule "B"

X Amends a previously adopted agreement by adding Appendix 2-S – Iran Divestment Act

☐ Amends the Text of the Agreement as follows:

Supplemental Agreement Cover for Local Agreements (11/12)

MUNICIPALITY/SPONSOR: Dutchess County

PIN: 8755.38

BIN: n/a

Comptroller's Contract No: D024641

Supplemental Agreement No. 4

Date Prepared & By: 11/30/2015dh

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by its duly authorized officials as of the date first above written.

Approved for the Municipality/Sponsor

Municipality/Sponsor Attorney:

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Date: ____/____/____

STATE OF NEW YORK

)

)ss.:

COUNTY OF DUTCHESS

)

On this _____ day of _____, 20____ before me personally came _____ to me known, who, being by me duly sworn did depose and say that he/she resides at _____; that he/she is the _____ of the Municipal/Sponsor Corporation described in and which executed the above Instrument; that it was executed by order of the _____ of said Municipal/Sponsor Corporation pursuant to a resolution or other authorization which was duly adopted on _____ and which a certified copy is attached and made a part hereof, and that he/she signed his/her name thereto by like order.

Notary Public

By: _____
For Commissioner of Transportation

APPROVED AS TO FORM:
STATE OF NEW YORK ATTORNEY GENERAL

By: _____
Assistant Attorney General

Agency Certification: In addition to the Acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this Contract.

COMPTROLLER'S APPROVAL:

By: _____
For the New York State Comptroller
Pursuant to State Finance Law § 112

SCHEDULE A – Description of Project Phase, Funding and Deposit Requirements
NYSDOT/ State-Local Agreement - Schedule A for PIN 8755.38

SC Municipal Contract #: D024641	Contract Start Date: 9/20/2005 (mm/dd/yyyy)	Contract End Date: 12/30/2020 (mm/dd/yyyy) <input checked="" type="checkbox"/> Check, if date changed from the last Schedule A
Purpose: <input type="checkbox"/> Original Standard Agreement <input checked="" type="checkbox"/> Supplemental Schedule A No. 4		
Agreement Type: <input checked="" type="checkbox"/> Locally Administered Municipality/Sponsor (Contract Payee): Dutchess County <input type="checkbox"/> State Administered Other Municipality/Sponsor (if applicable):		
<input type="checkbox"/> State Administered List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies. <input type="checkbox"/> Municipality: % of Cost share <input type="checkbox"/> Municipality: % of Cost share <input type="checkbox"/> Municipality: % of Cost share		
Authorized Project Phase(s) to which this Schedule applies: <input checked="" type="checkbox"/> PE/Design <input checked="" type="checkbox"/> ROW Incidentals <input checked="" type="checkbox"/> ROW Acquisition <input type="checkbox"/> Construction/CI/CS		
Work Type: HWY SAFETY	County (if different from Municipality): Dutchess	
Marchiselli Eligible <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Check, if Project Description has changed from last Schedule A): <input type="checkbox"/>		
Project Description: Beekman Road: Sylvan Lake Road to TSP, Town of Beekman		
Marchiselli Allocations Approved FOR ALL PHASES To compute Total Costs in the last row and column, right click in each field and select "Update Field."		
Check box to indicate change from last Schedule A	State Fiscal Year(s)	Project Phase
		PE/Design ROW (RI & RA) Construction/CI/CS TOTAL
<input checked="" type="checkbox"/>	Cumulative total for all prior SFYs	\$57,900.00 \$11,400.00 \$0.00 \$69,300.00
<input type="checkbox"/>	Current SFY	\$ \$ \$ \$ 0.00
Authorized Allocations to Date		\$57,900.00 \$11,400.00 \$ 0.00 \$69,300.00

A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES. For each PIN Fiscal Share below, show current costs on the rows indicated as "Current." Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in the last row, right click in each field and select "Update Field."							
PIN Fiscal Share	"Current" or "Old" entry Indicator	Federal Funding Program	Total Costs	FEDERAL Participating Share and Percentage	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
8755.38.121 122.	Current	STP (80%)	\$386,000.00	\$308,800.00	\$57,900.00	\$19,300.00	\$0.00
	Old	STP (80%)	\$386,000.00	\$308,800.00	\$57,900.00	\$19,300.00	\$0.00
8755.38.221 222.	Current	STP (80%)	\$757,696.00	\$606,167.00	\$11,400.00	\$140,139.00	\$0.00
	Old	STP (80%)	\$76,000.00	\$60,800.00	\$11,400.00	\$3,800.00	\$0.00
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$1,143,696.00	\$914,957.00	\$69,300.00	\$159,439.00	\$ 0.00

NYSDOT/State-Local Agreement - Schedule A

Summary of Other (Including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES For each PIN Fiscal Share, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in last row, right click in each field and select "Update Field."

Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

C. Total Local Deposit(s) Required for State Administered Projects:	\$0.00
---	--------

D. Total Project Costs To compute Total Costs in the last column, right click in the field and select "Update Field."				
Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total Other STATE Cost	Total LOCAL Cost	Total Costs (all sources)
\$914,957.00	\$69,300.00	\$0.00	\$159,439.00	\$1,143,696.00

E. Point of Contact for Questions Regarding this Schedule A (Must be completed)	Name: <u>Doreen Holsopple</u> Phone No: <u>845-431-5977</u>
---	--

See Agreement (or Supplemental Agreement Cover) for required contract signatures.

NYSDOT/State-Local Agreement – Schedule A

Footnotes: (See LPB's website for link to sample footnotes)

- Description continued: Beekman Road (CR 9) from Sylvan Lake Road (CR 10) to Taconic State Parkway. Improve non-standard horizontal and vertical alignment to improve sight distances. Improve access control, guide rail, and channelization. Improve shoulders and roadside drainage, provide closed drainage system along sections of Beekman Road as required, inspect existing cross culverts and rehabilitate/extend/replace as necessary.
- This Schedule A extends the contract end date and includes the ROW Acquisition phase.
-
-
-
-
- Beyond Preservation submitted for approval.
-
-
-
- PIN 8755.38, 11/30/2015dh

APPENDIX 2-S IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date, at which time it will be posted on the OGS website.

By entering into a renewal or extension of this Contract, Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Contractor understands that during the term of the Contract, should NYSDOT receive information that a person is in violation of the above-referenced certification NYSDOT will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then NYSDOT shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

NYSDOT reserves the right to reject any renewal, extension or request for assignment for an entity that appears on the prohibited entities list hereafter and to pursue a responsibility review with respect to any entity that is granted a contract extension/renewal or assignment and appears on the prohibited entities list thereafter.

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver (C)		

Present: 12

Resolution: ✓

Total : 12

0

Absent: 0

Motion:

Yes

No

Vacant: 0

Abstentions: 0

2016014 AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE (PIN 8755.38)

Date: January 21, 2016

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 17 - Town and Village of Fishkill	Miccio	<input type="checkbox"/>	<input type="checkbox"/>
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<input type="checkbox"/>	<input type="checkbox"/>
District 20 - Town of Red Hook	Strawinski	<input type="checkbox"/>	<input type="checkbox"/>
District 14 - Town of Wappinger	Amparo	<input type="checkbox"/>	<input type="checkbox"/>
District 1 - Town of Poughkeepsie	Nesbitt	<input type="checkbox"/>	<input type="checkbox"/>
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - Town of Hyde Park	Black	<input type="checkbox"/>	<input type="checkbox"/>
District 5 - Town of Poughkeepsie	Roman	<input type="checkbox"/>	<input type="checkbox"/>
District 6 - Town of Poughkeepsie	Flesland	<input type="checkbox"/>	<input type="checkbox"/>
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	<input type="checkbox"/>	<input type="checkbox"/>
District 8 - City and Town of Poughkeepsie	Brendli	<input type="checkbox"/>	<input type="checkbox"/>
District 9 - City of Poughkeepsie	Rieser	<input type="checkbox"/>	<input type="checkbox"/>
District 10 - City of Poughkeepsie	Jeter-Jackson	<input type="checkbox"/>	<input type="checkbox"/>
District 11 - Towns of Rhinebeck and Clinton	Tyner	<input type="checkbox"/>	<input type="checkbox"/>
District 12 - Town of East Fishkill	Metzger	<input type="checkbox"/>	<input type="checkbox"/>
District 15 - Town of Wappinger	Incoronato	<input type="checkbox"/>	<input type="checkbox"/>
District 16 - Town of Fishkill and City of Beacon	Forman	<input type="checkbox"/>	<input type="checkbox"/>
District 18 - City of Beacon and Town of Fishkill	Landisi	<input type="checkbox"/>	<input type="checkbox"/>
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	<input type="checkbox"/>	<input type="checkbox"/>
District 21 - Town of East Fishkill	Horton	<input type="checkbox"/>	<input type="checkbox"/>
District 22 - Towns of Beekman and Union Vale	Coviello	<input type="checkbox"/>	<input type="checkbox"/>
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	<input type="checkbox"/>	<input type="checkbox"/>
District 24 - Towns of Dover and Union Vale	Surman	<input type="checkbox"/>	<input type="checkbox"/>
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn	<input type="checkbox"/>	<input type="checkbox"/>

Present: 25

Resolution: ✓

Total : 25 0

Absent: 0

Motion:

Yes No

Vacant: 0

Abstentions: 0

2016014 AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE (PIN 8755.38)

Date: January 25, 2016

RESOLUTION NO. 2016015

RE: AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE (PIN 8755.45)

Legislators PULVER, BOLNER, INCORONATO, SAGLIANO, and HORTON offer the following and move its adoption:

WHEREAS, a project for the improvements to Myers Corners Road (CR 93) from All Angels Hill Road (CR 94) to State Route 376 in the Town of Wappinger, Dutchess County PIN 8755.45 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, Dutchess County desires to advance the above subject project by making a commitment of 100% of the non-federal share of the additional costs of right-of-way acquisition work, thereof, now, therefore, be it

RESOLVED, that Dutchess County approves of the above subject Project, and it is further

RESOLVED, that this Legislature hereby authorizes Dutchess County to pay in the first instance 100% of the federal and non-federal share of the cost for right-of-way acquisition work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$392,725 is hereby appropriated and made available pursuant to Bond H 0384.5110 – 2007 Roads (ISTEA/TEA21) to cover the cost of participation in this phase of the Project, and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, this Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Executive thereof, and it is further

RESOLVED, that the County Executive or his designee be and he hereby is authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County with the New York State Department of Transportation in connection with the advancement or approval of the Project providing for the administration of the Project and the County's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, that this Resolution shall take effect immediately.

CA-005-16

CAB/kvh/R-0946

12/31/15

Fiscal Impact: See attached statement.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 1/22/2016

STATE OF NEW YORK

SS:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 25th day of January 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 25th day of January 2016.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 392,725

Total Current Year Revenue \$ 232,000
and Source

Source of County Funds (check one): ☒ Existing Appropriations, ☐ Contingency,
☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☐ Other (explain).

Identify Line Items(s):

H0384.5110.3250.213

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$160,725

Over Five Years: _____

Additional Comments/Explanation:

This F.I.S. is related to the resolution request to accept Supplemental # 3 for ROW Acquisition funds and to extend the expiration date of the agreement from NYSDOT for PIN 8755.45 Myers Corners Rd.: All Angels Hill Rd. to Route 376, Town of Wappingers.

Prepared by: Rosanne M. Hall, Contract Specialist, 486-2924

Prepared On: 12/14/15

Supplemental Agreement Cover for Local Agreements (11/12)

MUNICIPALITY/SPONSOR: Dutchess County

PIN: 8755.45

BIN: n/a

Comptroller's Contract No: D024757

Supplemental Agreement No. 3

Date Prepared & By: 12/7/2015dh

SUPPLEMENTAL AGREEMENT NO 3 to D024757

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at
50 Wolf Road, Albany, New York, 12232, on behalf of New York State ("State");

And

Dutchess County (the Municipality/Sponsor)

Acting by and through the County Executive

With its office at 22 Market Street, City of Poughkeepsie, Dutchess County, New York

This amends the existing Agreement between the parties in the following respects only:

X Amends a previously adopted Schedule A by:

☐ amending a project description

☒ amending the contract end date

☒ amending the scheduled funding by:

☒ adding additional funding:

☒ adding **Right-of-Way Acquisition** phase which covers eligible costs
incurred on/after _____

☐ adding 1,2,3 phase which covers eligible costs incurred on/after xxxxxx

☐ increasing funding for a project phases(s) -

☐ adding a pin extension

☐ change from Non-Marchiselli to Marchiselli

☐ deleting/reducing a project phase(s)

☐ other (xxxxx)

☐ Amends a previously adopted Schedule "B"

☒ Amends a previously adopted agreement by adding Appendix 2-S -- Iran Divestment Act

☐ Amends the Text of the Agreement as follows:

Supplemental Agreement Cover for Local Agreements (11/12)
MUNICIPALITY/SPONSOR: Dutchess County
PIN: 8755.45
BIN: n/a

Comptroller's Contract No: D024757
Supplemental Agreement No. 3
Date Prepared & By: 12/7/2015dh

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by its duly authorized officials as of the date first above written.

Approved for the Municipality/Sponsor

Municipality/Sponsor Attorney:

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Date: ____/____/____

STATE OF NEW YORK)
)ss.:
COUNTY OF DUTCHESS)

On this _____ day of _____, 20____ before me personally came _____ to me known, who, being by me duly sworn did depose and say that he/she resides at _____; that he/she is the _____ of the Municipal/Sponsor Corporation described in and which executed the above instrument; that it was executed by order of the _____ of said Municipal/Sponsor Corporation pursuant to a resolution or other authorization which was duly adopted on _____ and which a certified copy is attached and made a part hereof, and that he/she signed his/her name thereto by like order.

Notary Public

By: _____
For Commissioner of Transportation

APPROVED AS TO FORM:
STATE OF NEW YORK ATTORNEY GENERAL

By: _____
Assistant Attorney General

Agency Certification: In addition to the Acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this Contract.

COMPTROLLER'S APPROVAL:

By: _____
For the New York State Comptroller
Pursuant to State Finance Law § 112

SCHEDULE A – Description of Project Phase, Funding and Deposit Requirements
NYSDOT/ State-Local Agreement - Schedule A for PIN 8755.45

SC Municipal Contract #: D024757	Contract Start Date: 3/14/2006 (mm/dd/yyyy)	Contract End Date: 12/30/2022 (mm/dd/yyyy) <input checked="" type="checkbox"/> Check, if date changed from the last Schedule A			
Purpose:	<input type="checkbox"/> Original Standard Agreement	<input checked="" type="checkbox"/> Supplemental Schedule A No. 3			
Agreement Type:	<input checked="" type="checkbox"/> Locally Administered Municipality/Sponsor (Contract Payee): Dutchess County Other Municipality/Sponsor (if applicable): <input type="checkbox"/> State Administered <div style="display: flex; justify-content: space-between; font-size: small;"> <div>List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.</div> <div> <input type="checkbox"/> Municipality: % of Cost share <input type="checkbox"/> Municipality: % of Cost share <input type="checkbox"/> Municipality: % of Cost share </div> </div>				
Authorized Project Phase(s) to which this Schedule applies: <input checked="" type="checkbox"/> PE/Design <input checked="" type="checkbox"/> ROW Incidentals <input checked="" type="checkbox"/> ROW Acquisition <input type="checkbox"/> Construction/CI/CS					
Work Type: HWY SAFETY	County (If different from Municipality): Dutchess				
Marchiselli Eligible <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Check, if Project Description has changed from last Schedule A): <input type="checkbox"/> Project Description: Myers Corners Rd (CR 93): All Angels Rd - Route 376, Town of Wappinger					
Marchiselli Allocations Approved FOR ALL PHASES To complete Total Costs in the last row, right click in each field and select "Update Field"					
Check box to indicate change from last Schedule A	State Fiscal Year(s)	Project Phase	TOTAL		
		PE/Design	ROW (RI & RA)	Construction/CI/CS	
<input checked="" type="checkbox"/>	Cumulative total for all prior SFYs	\$36,000.00	\$10,950.00	\$0.00	\$46,950.00
<input type="checkbox"/>	Current SFY	\$0.00	\$	\$	\$ 0.00
<input type="checkbox"/>	Authorized Allocations to Date:	\$36,000.00	\$10,950.00	\$ 0.00	\$46,950.00

A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES For each PIN Fiscal Share below, show current costs on the rows indicated as "Current." Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in the last row, right click in each field and select "Update Field."							
PIN Fiscal Share	"Current" or "Old" entry Indicator	Federal Funding Program	Total Costs	FEDERAL Participating Share and Percentage	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
8755.45.121	Current	STP (80%)	\$240,000.00	\$192,000.00	\$36,000.00	\$12,000.00	\$0.00
	Old	STP (80%)	\$240,000.00	\$192,000.00	\$36,000.00	\$12,000.00	\$0.00
8755.45.221	Current	STP (80%)	\$363,000.00	\$290,400.00	\$10,950.00	\$61,650.00	\$0.00
	Old	STP (80%)	\$73,000.00	\$58,400.00	\$10,950.00	\$3,650.00	\$0.00
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$603,000.00	\$482,400.00	\$46,950.00	\$73,650.00	\$ 0.00

NYSDOT/State-Local Agreement -- Schedule A

Summary of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES: For each PIN Fiscal Share, show current costs on the rows indicated as "Current." Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in last row, right click in each field and select "Update Field."						
Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
8755.45.NPS R.	Current	100% Local	\$102,725.00	\$0.00	\$0.00	\$102,725.00
	Old					
	Current		\$	\$	\$	\$
	Old					
	Current		\$	\$	\$	\$
	Old					
	Current		\$	\$	\$	\$
	Old					
	Current		\$	\$	\$	\$
	Old					
	Current		\$	\$	\$	\$
	Old					
	Current		\$	\$	\$	\$
	Old					
	Current		\$	\$	\$	\$
	Old					
TOTAL CURRENT COSTS:			\$102,725.00	\$ 0.00	\$ 0.00	\$102,725.00

C. Total Local Deposit(s) Required for State Administered Projects:	\$
---	----

D. Total Project Costs To compute Total Costs in the last column, right click in the field and select "Update Field."				
Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total Other STATE Cost	Total LOCAL Cost	Total Costs (all sources)
\$482,400.00	\$46,950.00	\$0.00	\$176,375.00	\$705,725.00

E. Point of Contact for Questions Regarding this Schedule A (Must be completed)	Name: <u>Doreen Holsopple</u> Phone No: <u>845-431-5977</u>
---	--

See Agreement (or Supplemental Agreement Cover) for required contract signatures.

- Description continued: Work proposes to improve the horizontal and vertical geometry and sight distance. Improve access control, guide rail and roadside clear area. Other work to be included, but not limited to shoulder improvements, drainage, culverts, signage and striping.
- This Schedule A is to include the ROW Acquisition phase.
- PIN 8755.45.NPS - The ROW 353C Estimate dated March 30, 2015 amounts to \$465,725. The amount shown is 100% local as there is insufficient federal funds programmed at this time.
- *Marchiselli is limited to the previously approved amount. As of this date, Beyond Preservation has not been approved. If BP approved, Marchiselli funds will be requested and a supplemental agreement to include will be initiated.

PIN 8755.45; 12/7/2015dh

APPENDIX 2-S IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date, at which time it will be posted on the OGS website.

By entering into a renewal or extension of this Contract, Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Contractor understands that during the term of the Contract, should NYSDOT receive information that a person is in violation of the above-referenced certification NYSDOT will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then NYSDOT shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

NYSDOT reserves the right to reject any renewal, extension or request for assignment for an entity that appears on the prohibited entities list hereafter and to pursue a responsibility review with respect to any entity that is granted a contract extension/renewal or assignment and appears on the prohibited entities list thereafter.

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver (C)		
Present: <u>12</u>	Resolution: <u>✓</u>	Total : <u>12</u>	<u>0</u>
Absent: <u>0</u>	Motion: <u> </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2016015 AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE (PIN 8755.45)

Date: January 21, 2016

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 17 - Town and Village of Fishkill	Miccio	<input type="checkbox"/>	<input type="checkbox"/>
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<input type="checkbox"/>	<input type="checkbox"/>
District 20 - Town of Red Hook	Strawinski	<input type="checkbox"/>	<input type="checkbox"/>
District 14 - Town of Wappinger	Amparo	<input type="checkbox"/>	<input type="checkbox"/>
District 1 - Town of Poughkeepsie	Nesbitt	<input type="checkbox"/>	<input type="checkbox"/>
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - Town of Hyde Park	Black	<input type="checkbox"/>	<input type="checkbox"/>
District 5 - Town of Poughkeepsie	Roman	<input type="checkbox"/>	<input type="checkbox"/>
District 6 - Town of Poughkeepsie	Flesland	<input type="checkbox"/>	<input type="checkbox"/>
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	<input type="checkbox"/>	<input type="checkbox"/>
District 8 - City and Town of Poughkeepsie	Brendli	<input type="checkbox"/>	<input type="checkbox"/>
District 9 - City of Poughkeepsie	Rieser	<input type="checkbox"/>	<input type="checkbox"/>
District 10 - City of Poughkeepsie	Jeter-Jackson	<input type="checkbox"/>	<input type="checkbox"/>
District 11 - Towns of Rhinebeck and Clinton	Tyner	<input type="checkbox"/>	<input type="checkbox"/>
District 12 - Town of East Fishkill	Metzger	<input type="checkbox"/>	<input type="checkbox"/>
District 15 - Town of Wappinger	Incoronato	<input type="checkbox"/>	<input type="checkbox"/>
District 16 - Town of Fishkill and City of Beacon	Forman	<input type="checkbox"/>	<input type="checkbox"/>
District 18 - City of Beacon and Town of Fishkill	Landisi	<input type="checkbox"/>	<input type="checkbox"/>
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	<input type="checkbox"/>	<input type="checkbox"/>
District 21 - Town of East Fishkill	Horton	<input type="checkbox"/>	<input type="checkbox"/>
District 22 - Towns of Beekman and Union Vale	Coviello	<input type="checkbox"/>	<input type="checkbox"/>
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	<input type="checkbox"/>	<input type="checkbox"/>
District 24 - Towns of Dover and Union Vale	Surman	<input type="checkbox"/>	<input type="checkbox"/>
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn	<input type="checkbox"/>	<input type="checkbox"/>

Present: 25

Resolution: ✓

Total : 25 0

Absent: 0

Motion:

Yes No

Vacant: 0

Abstentions: 0

2016015 AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE (PIN 8755.45)

Date: January 25, 2016

RESOLUTION NO. 2016016

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FROM
KYLE PATCHIN FOR PROJECT IDENTIFIED AS THE
REPLACEMENT OF BRIDGES PP-2 AND PP-11 ON HOFFMAN ROAD
OVER SHEKOMEKO CREEK, TOWN OF PINE PLAINS

Legislators PULVER and SAGLIANO offer the following and move its adoption:

WHEREAS, the Department of Public Works has proposed the replacement of Bridges PP-2 and PP-11 on Hoffman Road over Shekomeko Creek, in the Town of Pine Plains, which project includes the acquisition of a portion of certain property, and

WHEREAS, the Department of Public Works has determined that the improvement project (1) constitutes a Type II action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, it is the purpose of this Legislature in adopting this resolution to adopt and confirm the findings of the Department of Public Works, and

WHEREAS, the Department of Public Works has made a determination that in order to replace Bridges PP-2 and PP-11 on Hoffman Road over Shekomeko Creek in the Town of Pine Plains, it is necessary to acquire in fee a portion of property presently owned by Kyle Patchin, and

WHEREAS, a proposed Agreement to Purchase Real Property between the County and the property owner, Kyle Patchin, is annexed hereto, and

WHEREAS, the acquisition in fee is a portion of parcel number 134200-6872-00-306761-0000, described as 2,820 +/- square feet more or less as shown on Map 1, Parcel 1, a copy of which is annexed hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property, Fee Acquisition, be purchased for the sum of up to \$1,500 (purchase price of \$1,300 for the 2,820 +/- square feet and land improvement compensation of \$200 for the 450 square feet) and in addition, the County is authorized to spend up to \$1,000 in related expenses and that the terms and conditions of the Agreement be carried forth, now, therefore, be it


RESOLVED, that this Legislature hereby adopts and confirms the determination of the Dutchess County Department of Public Works that the project, including the acquisition of the property described in the Agreement, in the Town of Pine Plains, will not have a significant effect on the environment, and be it further

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property in substantially the same form as annexed hereto along with any other necessary documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of a deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that the payment be made to the property owner in the sum of up to \$1,500. In addition, the County is authorized to spend up to \$1,000, in related expenses and pay the necessary filing fees for such conveyance, and

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property be carried out by the Dutchess County Department of Public Works.

CA-006-16
CAB/kvh/R-0956-E
12/31/15
Fiscal Impact: See attached statement

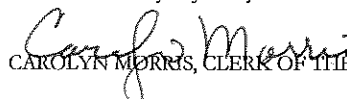
APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 1/28/2016

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 25th day of January 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 25th day of January 2016.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 2,500

Total Current Year Revenue \$ _____
and Source

Source of County Funds (check one): ☒ Existing Appropriations, ☐ Contingency,
☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☐ Other (explain).

Identify Line Items(s):

Related Expenses: Amount \$ 1,000

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$2,500
Over Five Years: _____

Additional Comments/Explanation:

Replacement of Bridges PP-2 and PP-11, Hoffman Road Over Shekomeko Creek, Town of Pine Plains, Dutchess County

This Fiscal Impact Statement pertains to the Resolution Request for authorization to acquire in Fee a 2,820+/- Square Foot parcel as shown on (Map 1, Parcel 1) with the purchase price of \$1,300.00 along with the Land Improvement compensation amount of \$200.00 from Kyle Patchin.

Related expenses in the amount of \$1,000 are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis

Prepared On: 12/18/15

AGREEMENT TO PURCHASE REAL PROPERTY

Project: Dutchess Co. Bridge PP-2--Hoffman Road over Shekomoko Creek PIN: n/a

Map No.: 1
Parcels: 1 & 2

This Agreement by and between KYLE PATCHIN hereinafter referred to as "Seller", and the COUNTY OF DUTCHESS hereinafter referred to as "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey:

- ☒ *all right title and interest* to 2,820± square feet of real property (of which 695± square feet is under water)
- ☐ *a permanent easement* to ± square feet of real property
- ☒ *a temporary easement* to 3,914± square feet of real property (of which 504± square feet is under water)

Located at Hoffman Road, Town of Pine Plains, Dutchess County, New York, further described as:

Being a portion of those same lands described in that certain Bargain and Sale Deed dated July 17, 2010 and recorded August 10, 2010 as Document # 02 2010 3910 in the Office of the County Clerk for Dutchess County, New York (Tax Map No. 6872-00-306761), and being the same lands designated as parcels 1 & 2 on Exhibit "A", attached hereto.

- 2. **IMPROVEMENTS INCLUDED IN THE PURCHASE.** The following improvements, if any, now in or on the property are included in this Agreement: lawn.
- 3. **PURCHASE PRICE.** The total purchase price is ONE THOUSAND, NINE HUNDRED AND 00/100 DOLLARS (\$1,900.00). This price includes the real property described in paragraph 1 and the improvements described in paragraph 2, if any, and the items described in paragraph 13, if any.
- 4. **PAYMENT.** All by check at closing.
- 5. **CLOSING DATE AND PLACE.** Transfer of Title shall take place at the Dutchess County Clerk's Office, or at another mutually acceptable location, on or about 90 days from the date of the fully approved agreement.
- 6. **BUYER'S POSSESSION OF THE PROPERTY.** For fee simple acquisitions and permanent easements, the Buyer shall have possession of the property rights on the day payment is received by the Seller. Any closing documents received by the municipality prior to payment pursuant to paragraph 5 above, shall be held in escrow until such payment has been received by the Seller or the Seller's agent. All temporary easements shall commence within nine months of the temporary easement execution date. The term of the temporary easement(s) shall be for 2 years.
- 7. **TITLE DOCUMENTS.** Buyer shall provide the following documents in connection with the sale:
 - A. Deed. Buyer will prepare and deliver to the Seller for execution at the time of closing all documents required to convey the real property interest(s) described in paragraph 1 above.
 - B. Abstract, Bankruptcy and Tax Searches, and Acquisition Map. Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.

8. **MARKETABILITY OF TITLE.** Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. Seller agrees to cooperate with Buyer in its curative action activities. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing.
9. **RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS.** Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of closing: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.
10. **RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY.** The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
11. **ENTIRE AGREEMENT.** This agreement when signed by both the Buyer and the Seller will be the record of the complete agreement between the Buyer and Seller concerning the purchase and sale of the property. No verbal agreements or promises will be binding.
12. **NOTICES.** All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.
13. **ADDENDA.** The following Addenda are incorporated into this agreement:
☐ Cost to Cure ☐ Other _____

IN WITNESS WHEREOF, on this 23rd day of November, 2015, the parties have entered into this Agreement.

Witness: _____

Kyle Patchin

COUNTY OF DUTCHESS

Witness: _____

By: Kyle J. Patchin

Print Name: _____

Title: 1300 7/15

Date: 11/23/15, 2015

(123)



REPLACEMENT OF
DUTCHESS COUNTY BRIDGES
PP-2 & PP-11 HOFFMAN ROAD
OVER SHEKOMEKO CREEK

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
ACQUISITION MAP

MAP NO. 1
PARCEL NO. 1, 2
SHEET 1 OF 3 SHEETS

ORIGINALS OF THIS MAP (SHEETS 1, 2, & 3)
ARE ON FILE AT THE OFFICES OF THE
DUTCHESS COUNTY DEPARTMENT OF
PUBLIC WORKS.

KYLE PATCHIN
(REPUTED OWNER)

CCD 02 2010 3910

PARCEL SUMMARY:
Type: P 2 : TE
P 1 : FEE
Portion of Tax
Map Ref. No. 306761-0000

Town of PINE PLAINS
County of DUTCHESS
State of New York

MAP REFERENCE INFORMATION:

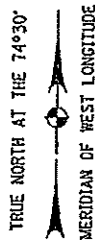
FM 7359 8-30-85
FM 7359A 1-24-90

Parcel Locator Points:

FEE
N: 1152775.847
E: 720851.318

TE

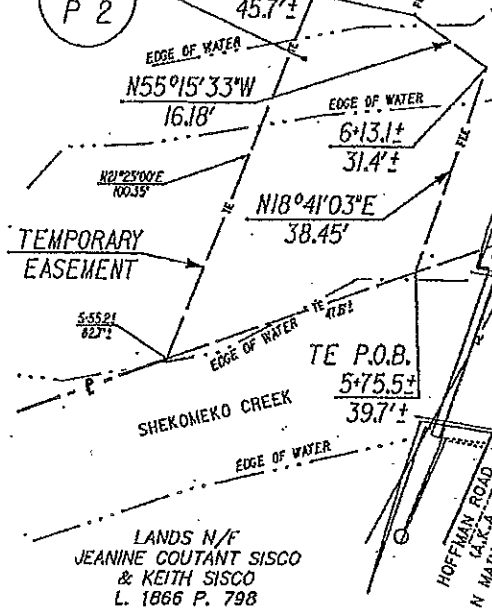
N: 1152754.883
E: 720819.544



LANDS N/F
KYLE PATCHIN
DOC. #02 2010 3910

TE
AREA:
3914 SQ FT ±
0.09 ACRES ±
504 SQ FT ± OF
WHICH IS
UNDER WATER

M 1
P 2



LANDS N/F
SUSAN P. DRURY
L. 1869 P. 434

STATION 7+69.56
STATION 7+70

LANDS N/F
SUSAN P. DRURY
L. 1802 P. 943

M 1
P 1

FEE
AREA:
2820 SQ FT ±
0.06 ACRES ±
695 SQ FT ± OF
WHICH IS
UNDER WATER



1" = 20'

PREPARED BY _____ CHECKED BY _____ FINAL CHECK BY _____

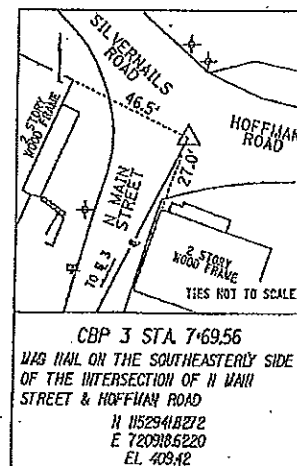
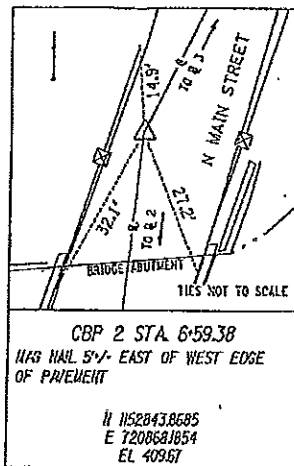
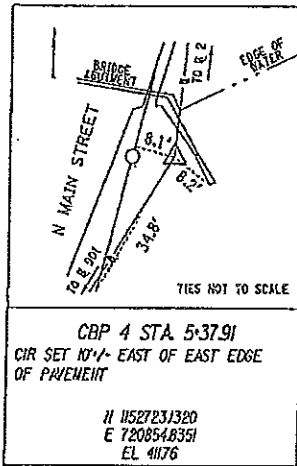
FILE NAME



REPLACEMENT OF
DUTCHESS COUNTY BRIDGES
PP-2 & PP-11 HOFFMAN ROAD
OVER SHEKOMENK CREEK

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
ACQUISITION MAP

MAP NO. 1
PARCEL NO. 1, 2
SHEET 2 OF 3 SHEETS



MAP AND DESCRIPTION OF LAND TO BE ACQUIRED BY THE COUNTY OF DUTCHESS
FROM

KYLE PATCHIN
(REPUTED OWNER)

FOR THE RE-CONSTRUCTION OF HOFFMAN ROAD

Parcel 1

All that certain piece or parcel of land, lying westerly of Hoffman Road (aka North Main Street), in the Town of Pine Plains, County of Dutchess, State of New York and being more particularly bounded and described as follows:

Beginning at a point in the centerline of Hoffman Road (aka North Main Street), at its intersection with the property division line between lands now or formerly of Kyle Patchin, on the north and lands now or formerly of Jeanine Coutant Sisco and Keith Sisco, on the south, said point being 9.3± feet distant westerly from Station 5+89.9± of the hereinafter described survey baseline for the reconstruction of Hoffman Road over the Shekomoko Creek; thence southwesterly, along said property division line, a distance of 33.6± feet to a point, said point being 39.7± feet distant westerly from Station 5+75.5± of said baseline; thence through said lands of Kyle Patchin the following six (6) courses and distances:

1. North 18°41'03" East, a distance of 38.45 feet to a point, said point being 31.4± feet distant westerly from Station 6+13.1± of said baseline,
2. North 55°15'33" West, a distance of 16.18 feet to a point, said point being 45.7± feet distant westerly from Station 6+20.8± of said baseline,
3. North 16°41'03" East, a distance of 22.12 feet to a point, said point being 41.7± feet distant westerly from Station 6+42.6± of said baseline,
4. South 89°34'33" East, a distance of 21.59 feet to a point, said point being 20.2± feet distant westerly from Station 6+44.8± of said baseline,
5. North 13°26'59" East, a distance of 31.35 feet to a point, said point being 21.1± feet distant westerly from Station 6+69.0± of said baseline,
6. South 71°18'57" East, a distance of 25.55 feet to a point at its intersection with said centerline of Hoffman Road, said point being 4.2± feet distant easterly from station 6+72.8± of said baseline; thence southerly along said centerline of Hoffman Road, a distance of 82.5± feet to the point or place of beginning and being 2820± square feet or 0.06 acres of lands, more or less, 695 sq. ft. ± of which is under water.

Parcel 2

A temporary easement to be exercised in, on or over the property now or formerly of Kyle Patchin for the purpose of reconstructing Hoffman Road (aka North main Street), over the Shekomoko Creek and appurtenances for use and exercisable during the reconstruction of Hoffman Road (aka North Main Street), over the Shekomoko Creek, and terminating upon the approval of the completed work, unless sooner terminated if deemed no longer necessary for highway purposes and released by the County of Dutchess or other authorized representative acting for the County of Dutchess or its assigns. Such easement shall be exercised in and to all the piece or parcel of property lying westerly of Hoffman Road (aka North Main Street), in the Town of Pine Plains, County of Dutchess, State of New York and being more particularly bounded and described as follows:



REPLACEMENT OF
DUTCHESS COUNTY BRIDGES
PP-2 & PP-11 HOFFMAN ROAD
OVER SHEKOMOKO CREEK

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
ACQUISITION MAP

MAP NO. 1
PARCEL NO. 1, 2
SHEET 3 OF 3 SHEETS

Commencing at a point in the centerline of Hoffman Road (aka North Main Street), at its intersection with the property division line between lands now or formerly of Kyle Patchin, on the north and lands now or formerly of Jeanine Coutant Sisco and Keith Sisco, on the south, said point being 9.3± feet distant westerly from Station 5+89.9± of the hereinafter described survey baseline for the reconstruction of Hoffman Road over the Shekomoko Creek; thence southwesterly, along said property division line, a distance of 33.6± feet to the Point or Place of Beginning, said point being 39.7± feet distant westerly from Station 5+75.5± of said baseline; thence southwesterly, continuing along said property division line, a distance of 47.6± feet to a point, said point being 82.7± feet distant westerly from Station 5+55.2± of said baseline; thence through said lands of Kyle Patchin the following two (2) courses and distances:

1. North 21°25'00" East, a distance of 100.35 feet to a point, said point being 56.5± feet distant westerly from Station 6+52.1± of said baseline,

2. North 50°04'26" East, a distance of 51.32 feet to a point at its intersection with the property division line between said lands of Kyle Patchin, on the south and lands now or formerly of Susan P. Drury, on the north, said point being 30.3± feet distant westerly from Station 6+79.6± of said baseline; thence easterly, along said property division line a distance of 33.6± feet to a point at its intersection with said centerline of Hoffman Road, said point being 1.6± feet distant easterly from Station 6+90.2± of said baseline; thence southerly along said centerline of Hoffman Road, a distance of 17.6± feet to a point, said point being 4.2± feet distant easterly from Station 6+72.8± of said baseline; thence through said lands of Kyle Patchin the following six (6) courses and distances:

1. North 71°18'57" West, a distance of 25.55 feet to a point, said point being 21.1± feet distant westerly from station 6+69.0± of said baseline,

2. South 13°26'59" West, a distance of 31.35 feet to a point, said point being 20.2± feet distant westerly from Station 6+44.8± of said baseline,

3. North 89°34'33" West, a distance of 21.59 feet to a point, said point being 41.7± feet distant westerly from Station 6+42.6± of said baseline,

4. South 16°41'03" West, a distance of 22.12 feet to a point, said point being 45.7± feet distant westerly from Station 6+20.8± of said baseline,

5. South 55°15'33" East, a distance of 16.18 feet to a point, said point being 31.4± feet distant westerly from Station 6+13.1± of said baseline, and

6. South 18°41'03" West, a distance of 38.45 feet to the point or place of beginning and being 3,914± square feet or 0.08 acres of lands, more or less, 514 sq. ft. ± of which is under water.

Reserving, however, to the owner of any right, title, or interest in and to the property above delineated, and such owner's successors or assigns. The right of access and the right of using said property and such use shall not be further limited or restricted under the easement beyond that which is necessary to effectuate its purposes for, and established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

The abovementioned survey baseline, is a portion of the 2014 Survey Baseline for the re-construction of Hoffman Road (aka North Main Street) over the Shekomoko Creek, as shown on the map and described as follows:

Beginning at Station 3+53.57, thence North 32°15'47" East to Station 5+37.91; thence North 6°18'35" East to Station 6+59.38; thence North 27°14'34" East to Station 7+69.56.

All bearings referred to True North at the 74°30' Meridian of West Longitude.

I HEREBY CERTIFY THAT THE PROPERTY MAPPED
ABOVE IS NECESSARY FOR THIS PROJECT, AND
THE ACQUISITION THEREOF IS RECOMMENDED.

Date 8-6 2015

Noel H. S. Kihlle
NOEL H. S. KIHILLE, ATA, ASLA
COMMISSIONER OF PUBLIC WORKS

RECOMMENDED BY:

Date August 6 2015

Robert H. Balkind
ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER OF PUBLIC WORKS

I HEREBY CERTIFY THAT THIS IS AN ACCURATE DESCRIPTION
AND MAP MADE FROM A LIMITED SURVEY, PREPARED
UNDER MY DIRECTION

Date JULY 31 2015

John E. Quinn, Jr.
JOHN E. QUINN, JR., LAND SURVEYOR
P.L.S. LICENSE NO. 50269
CLOUGH-HARBOR & ASSOCIATES LLP



"Unauthorized alteration or addition
to a survey map bearing a licensed
land surveyor's seal is a violation of
Section 7209 Subdivision 2, of the
New York State Education Law."

CHA

CLOUGH HARBOR & ASSOCIATES LLP
111 Winnetka Circle, PO Box 5269 • Albany, NY 12205-0269
Main: (518) 453-4500 • www.cloughharbour.com

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver (C)		

Present: <u>12</u>	Resolution: <u>✓</u>	Total : <u>12</u>
Absent: <u>0</u>	Motion: <u> </u>	Yes No
Vacant: <u>0</u>		Abstentions: <u>0</u>

2016016 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FROM KYLE PATCHIN FOR PROJECT IDENTIFIED AS THE REPLACEMENT OF BRIDGES PP-2 AND PP-11 ON HOFFMAN ROAD OVER SHEKOMEKO CREEK, TOWN OF PINE PLAINS

Date: January 21, 2016

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 17 - Town and Village of Fishkill	Miccio	<input type="checkbox"/>	<input type="checkbox"/>
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<input type="checkbox"/>	<input type="checkbox"/>
District 20 - Town of Red Hook	Strawinski	<input type="checkbox"/>	<input type="checkbox"/>
District 14 - Town of Wappinger	Amparo	<input type="checkbox"/>	<input type="checkbox"/>
District 1 - Town of Poughkeepsie	Nesbitt	<input type="checkbox"/>	<input type="checkbox"/>
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - Town of Hyde Park	Black	<input type="checkbox"/>	<input type="checkbox"/>
District 5 - Town of Poughkeepsie	Roman	<input type="checkbox"/>	<input type="checkbox"/>
District 6 - Town of Poughkeepsie	Flesland	<input type="checkbox"/>	<input type="checkbox"/>
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	<input type="checkbox"/>	<input type="checkbox"/>
District 8 - City and Town of Poughkeepsie	Brendli	<input type="checkbox"/>	<input type="checkbox"/>
District 9 - City of Poughkeepsie	Rieser	<input type="checkbox"/>	<input type="checkbox"/>
District 10 - City of Poughkeepsie	Jeter-Jackson	<input type="checkbox"/>	<input type="checkbox"/>
District 11 - Towns of Rhinebeck and Clinton	Tyner	<input type="checkbox"/>	<input type="checkbox"/>
District 12 - Town of East Fishkill	Metzger	<input type="checkbox"/>	<input type="checkbox"/>
District 15 - Town of Wappinger	Incoronato	<input type="checkbox"/>	<input type="checkbox"/>
District 16 - Town of Fishkill and City of Beacon	Forman	<input type="checkbox"/>	<input type="checkbox"/>
District 18 - City of Beacon and Town of Fishkill	Landisi	<input type="checkbox"/>	<input type="checkbox"/>
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	<input type="checkbox"/>	<input type="checkbox"/>
District 21 - Town of East Fishkill	Horton	<input type="checkbox"/>	<input type="checkbox"/>
District 22 - Towns of Beekman and Union Vale	Coviello	<input type="checkbox"/>	<input type="checkbox"/>
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	<input type="checkbox"/>	<input type="checkbox"/>
District 24 - Towns of Dover and Union Vale	Surman	<input type="checkbox"/>	<input type="checkbox"/>
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn	<input type="checkbox"/>	<input type="checkbox"/>

Present: 25 Resolution: ✓ Total : 25 0
 Absent: 0 Motion: — Yes No
 Vacant: 0 Abstentions: 0

2016016 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FROM KYLE PATCHIN FOR PROJECT IDENTIFIED AS THE REPLACEMENT OF BRIDGES PP-2 AND PP-11 ON HOFFMAN ROAD OVER SHEKOMEKO CREEK, TOWN OF PINE PLAINS

Date: January 25, 2016

RESOLUTION NO. 2016017

RE: AUTHORIZATION TO ACQUIRE A FEE ACQUISITION
FROM SUSAN DRURY, IN CONNECTION WITH
THE PROJECT KNOWN AS REPLACEMENT OF
BRIDGES PP-2 AND PP-11, HOFFMAN ROAD
OVER THE SHEKOMEKO CREEK, IN THE TOWN
OF PINE PLAINS

Legislators PULVER and SAGLIANO offer the following and move its adoption:

WHEREAS, the Department of Public Works has proposed the improvement of Bridges PP-2 and PP-11, Hoffman Road over the Shekomeko Creek, in the Town of Pine Plains, which project includes the acquisition in Fee of a 6,936+/- square foot parcel as shown on Map 2, Parcel 1, Parcel Identification Number 134200-6872-00-386692-0000, to facilitate the construction, reconstruction and continued maintenance of Bridges PP-2 and PP-11 on Hoffman Road over Shekomeko Creek in the Town of Pine Plains; and

WHEREAS, the Department of Public Works has determined that the improvement project (1) constitutes a Type II action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, it is the purpose of this Legislature in adopting this resolution to adopt and confirm the findings of the Department of Public Works, and

WHEREAS, the Department of Public Works has made a determination that in order to maintain said bridge, it is necessary to acquire a portion of real property which is located at Hoffman Road, in the Town of Pine Plains, presently owned by Susan Drury, and

WHEREAS, the total purchase price to acquire in Fee the 6,936+/- square foot parcel as shown on Map 2, Parcel 1, is \$1,000.00, and,

WHEREAS, a proposed Agreement to Purchase Real Property between the County and the property owner is annexed hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the fee acquisition for the sum of \$1,000.00, plus an authorization to spend up to \$1,000.00 in related expenses; NOW, therefore, be it

RESOLVED, that this Legislature hereby adopts and confirms the determination of the Dutchess County Department of Public Works that the project, including the acquisition of the property described in the aforesaid Agreement in the Town of Pine Plains, will not have a significant effect on the environment, and be it further

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property in substantially the same form as annexed hereto along with any other necessary documents in connection with this acquisition, and be it further


RESOLVED, that on the submission by the property owner of a deed for the fee acquisition to the aforementioned lands, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that payment be made to the property owner in the sum of \$1,000.00 for the fee acquisition. In addition, the County is authorized to spend up to \$1,000.00 in related expenses and necessary filing fees for such conveyance.

CA-009-16

CAB/sjm/R-0956-B

12/30/15

Fiscal Impact: See attached statement

APPROVED

MARCUS S. MOLINARO
COUNTY EXECUTIVE
Date 1/29/2016


STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 25th day of January 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 25th day of January 2016.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 2,000

Total Current Year Revenue \$ _____
and Source

Source of County Funds (check one): ☒ Existing Appropriations, ☐ Contingency,
☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☐ Other (explain).

Identify Line Items(s):

Related Expenses: Amount \$ 1,000

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$2,000
Over Five Years: _____

Additional Comments/Explanation:

Replacement of Bridges PP-2 and PP-11, Hoffman Road Over Shekomeko Creek, Town of Pine Plains, Dutchess County

This Fiscal Impact Statement pertains to the Resolution Request for authorization to acquire In Fee a 6,936+/- Square Foot parcel as shown on (Map 2, Parcel 1) with the purchase price of \$1,000.00 from Susan Drury.

Related expenses in the amount of \$1,000 are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis

Prepared On: 12/18/15

AGREEMENT TO PURCHASE REAL PROPERTY

Project: Dutchess Co. Bridge PP-2 -- Hoffman Road over Shekomoko Creek PIN: n/a Map No.: 2
Parcels: 1 & 2

This Agreement by and between Susan Drury hereinafter referred to as "Seller", and the COUNTY OF DUTCHESS hereinafter referred to as "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey:

- ☒ *all right title and interest to 6,936± square feet of real property (of which 1,567± square feet is under water)*
- ☐ *a permanent easement to ± square feet of real property*
- ☒ *a temporary easement to 6,313± square feet of real property (of which 2,621± square feet is under water)*

Located at Hoffman Road, Town of Pine Plains, Dutchess County, New York, further described as:

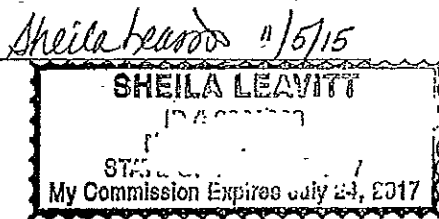
Being a portion of those same lands described in that certain Executor's Deed dated April 22, 1983 and recorded May 27, 1983 in Liber 1602 at Page 943 in the Office of the County Clerk for Dutchess County, New York (Tax Map No. 6872-00-386692), and being the same lands designated as parcels 1 & 2 on Exhibit "A", attached hereto.

- 2. **IMPROVEMENTS INCLUDED IN THE PURCHASE.** The following improvements, if any, now in or on the property are included in this Agreement: none.
- 3. **PURCHASE PRICE.** The total purchase price is ONE THOUSAND, TWO HUNDRED AND 00/100 DOLLARS (\$1,200.00). This price includes the real property described in paragraph 1 and the improvements described in paragraph 2, if any, and the items described in paragraph 13, if any.
- 4. **PAYMENT.** All by check at closing.
- 5. **CLOSING DATE AND PLACE.** Transfer of Title shall take place at the Dutchess County Clerk's Office, or at another mutually acceptable location, on or about 90 days from the date of the fully approved agreement.
- 6. **BUYER'S POSSESSION OF THE PROPERTY.** For fee simple acquisitions and permanent easements, the Buyer shall have possession of the property rights on the day payment is received by the Seller. Any closing documents received by the municipality prior to payment pursuant to paragraph 5 above, shall be held in escrow until such payment has been received by the Seller or the Seller's agent. All temporary easements shall commence within nine months of the temporary easement execution date. The term of the temporary easement(s) shall be for 2 years.
- 7. **TITLE DOCUMENTS.** Buyer shall provide the following documents in connection with the sale:
 - A. Deed. Buyer will prepare and deliver to the Seller for execution at the time of closing all documents required to convey the real property interest(s) described in paragraph 1 above.
 - B. Abstract, Bankruptcy and Tax Searches, and Acquisition Map. Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.

8. **MARKETABILITY OF TITLE.** Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. Seller agrees to cooperate with Buyer in its curative action activities. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing.
9. **RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS.** Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of closing: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.
10. **RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY.** The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
11. **ENTIRE AGREEMENT.** This agreement when signed by both the Buyer and the Seller will be the record of the complete agreement between the Buyer and Seller concerning the purchase and sale of the property. No verbal agreements or promises will be binding.
12. **NOTICES.** All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.
13. **ADDENDA.** The following Addenda are incorporated into this agreement:
[] Cost to Cure [] Other _____

IN WITNESS WHEREOF, on this 5th day of November, 2015, the parties have entered into this Agreement.

Witness:



Witness: _____

Susan Drury 11/5/15
Susan Drury

COUNTY OF DUTCHESS

By: _____

Print Name: _____

Title: _____

Date: _____, 20____



REPLACEMENT OF
DUTCHESS COUNTY BRIDGES
PP-2 & PP-11 HOFFMAN ROAD
OVER SHEKOMEKO CREEK

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
ACQUISITION MAP

MAP NO. 2
PARCEL NO. 1 & 2
SHEET 1 OF 3 SHEETS

ORIGINALS OF THIS MAP (SHEETS 1, 2, & 3)
ARE ON FILE AT THE OFFICES OF THE
DUTCHESS COUNTY DEPARTMENT OF
PUBLIC WORKS.

MAP REFERENCE INFORMATION:

FM 6588 4-21-83

SUSAN P. DRURY
(REPUTED OWNER)

CCD L. 1602 P. 943

PARCEL SUMMARY:

Type: P* 2 : TE

P* 1 : FEE

Portion of.. Tox

Map Ref. No. 386632-0000

Parcel Locator Points:
FEE

N: 1152865.502

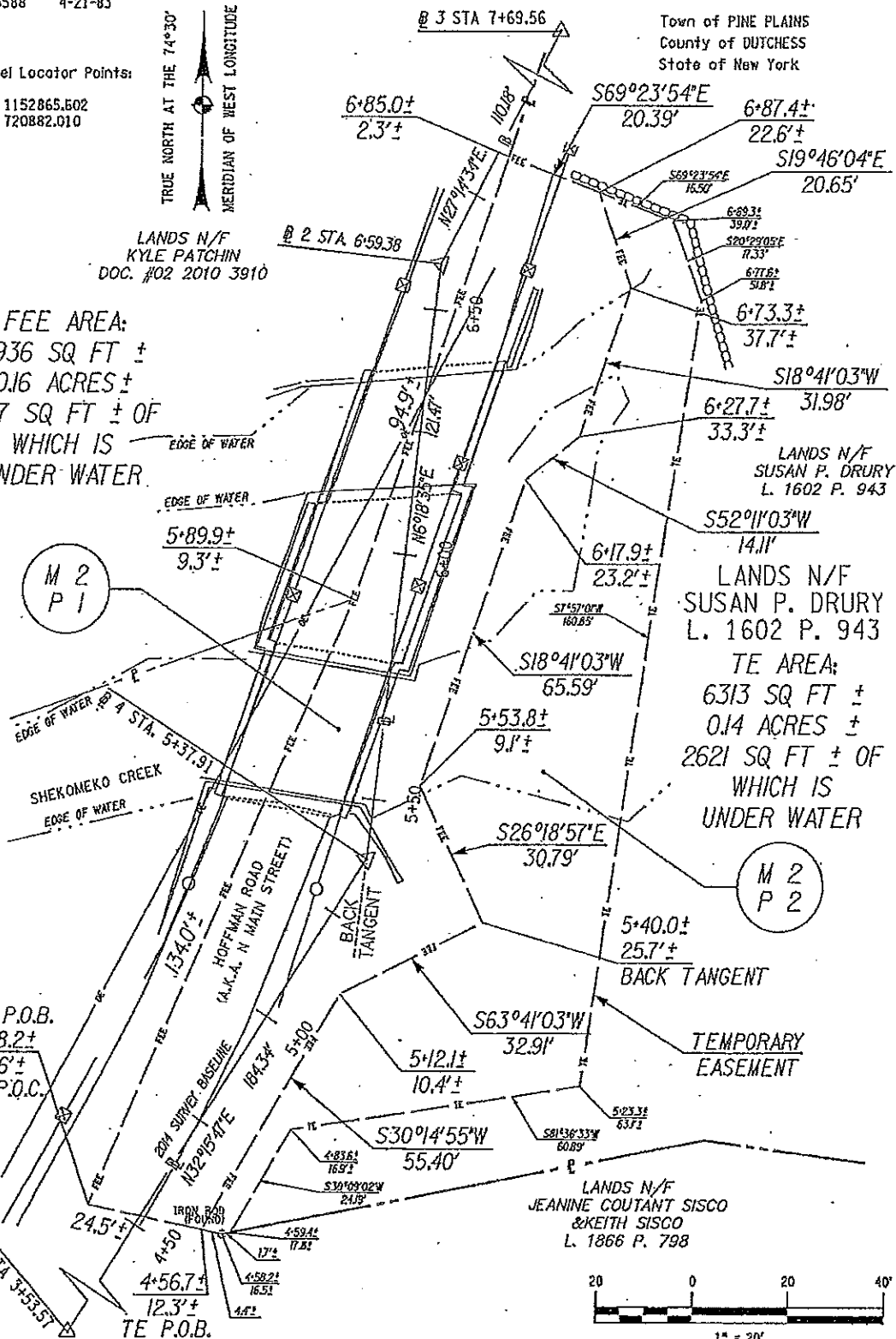
E: 720882.010



LANDS N/F
KYLE PATCHIN
DOC. #02 2010 3910

FEE AREA:
6936 SQ FT ±
0.16 ACRES ±
1567 SQ FT ± OF
WHICH IS
UNDER WATER.

M 2
P 1



Town of PINE PLAINS
County of DUTCHESS
State of New York

6*87.4±
22.6±
S19°46'04"E
20.65'

6*73.3±
37.7±
S18°41'03"W
31.98'

6*27.7±
33.3±
LANDS N/F
SUSAN P. DRURY
L. 1602 P. 943

5*22.1±
14.1±
LANDS N/F
SUSAN P. DRURY
L. 1602 P. 943

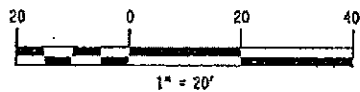
TE AREA:
6313 SQ FT ±
0.14 ACRES ±
2621 SQ FT ± OF
WHICH IS
UNDER WATER

M 2
P 2

5*40.0±
25.7±
BACK TANGENT

5*12.1±
10.4±
S30°14'55"W
55.40'

LANDS N/F
JEANINE COUTANT SISCO
& KEITH SISCO
L. 1866 P. 798



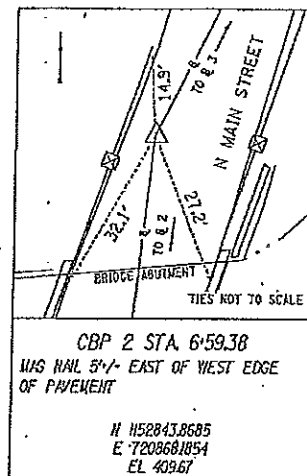
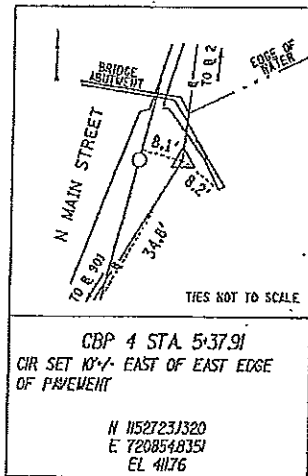


REPLACEMENT OF
DUTCHESS COUNTY BRIDGES
PP-2 & PP-11 HOFFMAN ROAD
OVER SHEKOMEKO CREEK

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
ACQUISITION MAP

MAP NO. 2
PARCEL NO. 1 & 2
SHEET 2 OF 3 SHEETS

ORIGINALS OF THIS MAP (SHEETS 1, 2, & 3)
ARE ON FILE AT THE OFFICES OF THE
DUTCHESS COUNTY DEPARTMENT OF
PUBLIC WORKS.



MAP AND DESCRIPTION OF LAND TO BE ACQUIRED BY THE COUNTY OF DUTCHESS
FROM

SUSAN P. DRURY
(REPUTED OWNER)

Parcel 1 FOR THE CONSTRUCTION OF THE DUTCHESS RAIL TRAIL

All that certain piece or parcel of land, lying easterly of Hoffman Road (aka North Main Street), in the Town of Pine Plains, County of Dutchess, State of New York and being more particularly bounded and described as follows:

Beginning at a point in the centerline of Hoffman Road (aka North Main Street), at its intersection with the property division line between lands now or formerly of Kyle Patchin, on the west and lands now or formerly of Susan P. Drury, on the east, said point being 10.6± feet distant westerly from Station 4+48.2± of the hereinafter described survey baseline for the reconstruction of Hoffman Road over the Shekomeko Creek; thence northerly, along said property division line, a distance of 134.0± feet to a point, said point being 9.3± feet distant westerly from Station 5+89.9± of said baseline; thence northerly, continuing along said property division line, a distance of 94.9± feet to a point, said point being 2.3± feet distant easterly from Station 6+85.0± of said baseline; thence through said lands of Susan P. Drury the following eight (8) courses and distances:

1. South 69°23'54" East, a distance of 20.39 feet to a point, said point being 22.6± feet distant easterly from Station 6+87.4± of said baseline,
2. South 19°46'04" East, a distance of 20.65 feet to a point, said point being 37.7± feet distant easterly from Station 6+73.3± of said baseline,
3. South 18°41'03" West, a distance of 31.98 feet to a point, said point being 33.3± feet distant easterly from Station 6+27.7± of said baseline,
4. South 52°11'03" West, a distance of 14.11 feet to a point, said point being 23.2± feet distant easterly from Station 6+17.9± of said baseline,
5. South 18°41'03" West, a distance of 65.59 feet to a point, said point being 9.1± feet distant easterly from Station 5+53.8± of said baseline,
6. South 26°18'57" East, a distance of 30.79 feet to a point, said point being 25.7± feet distant easterly from Station 5+40.0± of said baseline, back tangent,
7. South 63°41'03" West, a distance of 32.91 feet to a point, said point being 10.4± feet distant easterly from Station 5+12.1± of said baseline, and
8. South 30°14'55" West, a distance of 55.40 feet to a point at its intersection with the property division line between lands now or formerly of Jeanine Coutant Sisco and Keith Sisco, on the south and lands now or formerly of Susan P. Drury, on the north, said point being 12.3± feet distant easterly from Station 4+56.7± of said baseline; thence westerly, along said property division line, a distance of 24.5± feet to the point or place of beginning and being 6,936± square feet or 0.16 acres of lands, more or less, 1567 sq. ft. ± of which is under water.

Parcel 2

A temporary easement to be exercised in, on or over the property now or formerly of Susan P. Drury for the purpose of reconstructing Hoffman Road (aka North main Street), over the Shekomeko Creek and appurtenances for use and exercisable during the reconstruction of Hoffman Road (aka North Main Street), over the Shekomeko Creek, and terminating upon the approval of the completed work, unless sooner terminated if deemed no longer necessary for highway purposes and released by the County of Dutchess or other authorized representative acting for the County of Dutchess or its assigns. Such easement shall be exercised in and to all the piece or parcel of property lying easterly of Hoffman Road (aka North Main Street), in the Town of Pine Plains, County of Dutchess, State of New York and being more particularly bounded and described as follows:



REPLACEMENT OF
DUTCHESS COUNTY BRIDGES
PP-2 & PP-11 HOFFMAN ROAD
OVER SHEKOMOKO CREEK

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
ACQUISITION MAP

MAP NO. 2
PARCEL NO. 1 & 2
SHEET 3 OF 3 SHEETS

ORIGINALS OF THIS MAP (SHEETS 1, 2, & 3)
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DUTCHESS COUNTY DEPARTMENT OF
PUBLIC WORKS.

Commencing at a point in the centerline of Hoffman Road (aka North Main Street), at its intersection with the property division line between lands now or formerly of Susan P. Drury, on the north and lands now or formerly of Jeanine Coutant Sisco and Keith Sisco, on the south, said point being 10.6± feet distant westerly from Station 4+48.2± of the hereinafter described survey baseline for the reconstruction of Hoffman Road over the Shekomoko Creek; thence southeasterly, along said property division line, a distance of 24.5± feet to the Point or Place of Beginning, said point being 12.3± feet distant easterly from Station 4+56.7± of said baseline; thence through said lands of Susan P. Drury the following fourteen (14) courses and distances:

1. North 30°14'55" East, a distance of 55.40 feet to a point, said point being 10.4± feet distant easterly from Station 5+12.1± of said baseline,
2. North 63°41'03" East, a distance of 32.91 feet to a point, said point being 25.7± feet distant easterly from Station 5+40.0± of said baseline, back tangent,
3. North 26°18'57" West, a distance of 30.79 feet to a point, said point being 9.1± feet distant easterly from Station 5+53.8± of said baseline,
4. North 18°41'03" East, a distance of 65.59 feet to a point, said point being 23.2± feet distant easterly from Station 6+17.9± of said baseline,
5. North 52°11'03" East, a distance of 14.11 feet to a point, said point being 33.3± feet distant easterly from Station 6+27.7± of said baseline,
6. North 18°41'03" East, a distance of 31.98 feet to a point, said point being 37.7± feet distant easterly from Station 6+73.3± of said baseline,
7. North 19°46'04" West, a distance of 20.65 feet to a point, said point being 22.6± feet distant easterly from Station 6+87.4± of said baseline,
8. South 69°23'54" East, a distance of 16.50 feet to a point, said point being 39.1± feet distant easterly from Station 6+89.3± of said baseline,
9. South 20°29'05" East, a distance of 17.33 feet to a point, said point being 51.8± feet distant easterly from Station 6+77.6± of said baseline,
10. South 07°57'01" West, a distance of 160.85 feet to a point, said point being 63.1± feet distant easterly from Station 5+23.3± of said baseline,
11. South 81°36'33" West, a distance of 60.89 feet to a point, said point being 16.9± feet distant easterly from Station 4+83.6± of said baseline, and
12. South 30°09'02" West, a distance of 24.19 feet to a point at its intersection with the property division line between lands now or formerly of Jeanine Coutant Sisco and Keith Sisco, on the south and lands now or formerly of Susan P. Drury, on the north, said point being 17.8± feet distant easterly from Station 4+59.4± of said baseline; thence westerly, along said property division line a distance of 1.7± feet to a point, said point being 16.5± feet distant easterly from Station 4+58.2± of said baseline; thence westerly, continuing along said property division line a distance of 4.4± feet to the point or place of beginning and being 6,313± square feet or 0.14 acres of lands, more or less, 2621 sq. ft. ± of which is under water.

Reserving, however, to the owner of any right, title, or interest in and to the property above delineated, and such owner's successors or assigns. The right of access and the right of using said property and such use shall not be further limited or restricted under the easement beyond that which is necessary to effectuate its purposes for, and established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

The abovementioned survey baseline, is a portion of the 2014 Survey Baseline for the re-construction of Hoffman Road (aka North Main Street) over the Shekomoko Creek, as shown on the map and described as follows:

Beginning at Station 3+53.57, thence North 32°15'47" East to Station 5+37.91; thence North 6°18'35" East to Station 6+59.38; thence North 27°14'34" East to Station 7+69.56.

All bearings referred to True North at the 74°30' Meridian of West Longitude.

I HEREBY CERTIFY THAT THE PROPERTY MAPPED
ABOVE IS NECESSARY FOR THIS PROJECT, AND
THE ACQUISITION THEREOF IS RECOMMENDED.

Date 8-6 2015

NOEL H. S. KNILLE, AIA, ASLA
COMMISSIONER OF PUBLIC WORKS

RECOMMENDED BY:

Date August 6 2015

ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER OF PUBLIC WORKS



I HEREBY CERTIFY THAT THIS IS AN ACCURATE
DESCRIPTION AND MAP MADE FROM A LIMITED
SURVEY, PREPARED UNDER MY DIRECTION

Date JULY 31 2015

JOHN E. QUINN, JR., LAND SURVEYOR
P.L.S. LICENSE NO. 50269
CLOUGH-HARBOUR & ASSOCIATES LLP

"Unauthorized alteration or addition
to a survey map bearing a licensed
land surveyor's seal is a violation of
Section 7209 Subdivision 2, of the
New York State Education Law."



CLOUGH HARBOUR & ASSOCIATES LLP
111 Willets Circle, PO Box 5269 - Albany, NY 12205-0269
Main: (518) 453-4500 • www.cloughharbour.com

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver (C)		
Present: <u>12</u>	Resolution: <u>✓</u>	Total : <u>12</u>	<u>0</u>
Absent: <u>0</u>	Motion: <u> </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2016017 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM SUSAN DRURY, IN CONNECTION WITH THE PROJECT KNOWN AS REPLACEMENT OF BRIDGES PP-2 AND PP-11, HOFFMAN ROAD OVER THE SHEKOMEKO CREEK, IN THE TOWN OF PINE PLAINS

Date: January 21, 2016

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

Present: 25

Resolution: ✓

Total : 25 0

Absent: 0

Motion: —

Yes No

Vacant: 0

Abstentions: 0

2016017 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM SUSAN DRURY, IN CONNECTION WITH THE PROJECT KNOWN AS REPLACEMENT OF BRIDGES PP-2 AND PP-11, HOFFMAN ROAD OVER THE SHEKOMEKO CREEK, IN THE TOWN OF PINE PLAINS

Date: January 25, 2016

RESOLUTION NO. 2016018

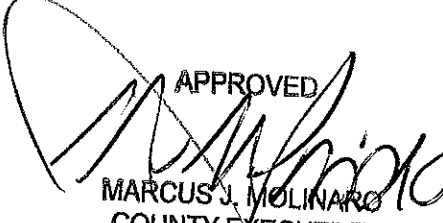
RE: LOCAL LAW NO. 1 OF 2016, A LOCAL LAW
AMENDING LOCAL LAW NO. 6 OF 2012, PROVIDING AN
EXEMPTION FROM TAXATION BY THE COUNTY TO PERSONS
WITH DISABILITIES AND LIMITED INCOMES

Legislators BORCHERT, MICCIO, STRAWINSKI, AMPARO, SAGLIANO,
WASHBURN, LANDISI, and FORMAN offer the following and move its adoption:

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No.
1 of 2016 which has been submitted this day for consideration by said Legislature.

CA-011-16
CEN/kvh/G-1288
1/6/16

Fiscal Impact: None

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/18/2016

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 25th day of January 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 25th day of January 2016.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. 1 of 2016

RE: A LOCAL LAW PROVIDING FOR THE AMENDMENT OF LOCAL LAW NO. 6 OF 2012, PROVIDING AN EXEMPTION FROM TAXATION BY THE COUNTY TO PERSONS WITH DISABILITIES AND LIMITED INCOMES

BE IT ENACTED by the County Legislature of the County of Dutchess, State of New York as follows:

SECTION 1. LEGISLATIVE AUTHORIZATION. This local law is enacted pursuant to Section 459-c of the Real Property Tax Law of the State of New York.

SECTION 2. Section 3(A) entitled "Exemption", of Local Law No. 6 of 2012, is hereby amended to read as follows:

Real property situate within the bounds of Dutchess County, New York, owned by husband, wife or both, or by siblings at least one of whom has a disability, or real property owned by one or more persons, some of whom qualify under Real Property Tax Law Section 459-c and the others of whom qualify under Real Property Tax Law Section 467 or real property owned by a cooperative apartment corporation in which a tenant-stockholder of such corporation resides, and which is represented by his share or shares of stock in such corporation as determined by its or their proportional relationship to the total outstanding stock of the corporation, including that owned by the corporation, which for purposes of this Local Law shall be deemed vested in the tenant-stockholder, and whose income, as hereinafter defined, is limited by reason of such disability, shall be exempt from taxation for real estate taxes to be levied by the County for the year 2014 and thereafter by the percentage of exemptions hereinafter specified for the annual income ranges listed below to the extent of 50 percent of the assessed valuation thereof. Such exemption shall be based upon and be computed after all other partial exemptions allowed by law have been subtracted from the total amount assessed:

<u>ANNUAL INCOME RANGES</u>	<u>EXEMPTION PERCENTAGE</u>
(1) \$24,000 or less	50%
(2) More than \$24,000 but less than \$25,000	45%
(3) \$25,000 or more but less than \$26,000	40%
(4) \$26,000 or more but less than \$27,000	35%
(5) \$27,000 or more but less than \$27,900	30%
(6) \$27,900 or more but less than \$28,800	25%
(7) \$28,800 or more but less than \$29,700	20%
(8) \$29,700 or more but less than \$30,600	15%
(9) \$30,600 or more but less than \$31,500	10%
(10) \$31,500 or more but less than \$32,400	5%

SECTION 3: All other provisions of Local Law No. 6 of 2012 shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE. This local law shall take effect immediately upon filing with the Secretary of State and shall apply to assessment rolls prepared on the basis of taxable status of dates occurring on or after March 1, 2016.

FISCAL IMPACT STATEMENT

☒ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ _____

Total Current Year Revenue \$ _____
and Source

Source of County Funds (check one): ☐ Existing Appropriations, ☐ Contingency,
☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☒ Other (explain).

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____
Over Five Years: _____

Additional Comments/Explanation:

This local law amendment extends the current property tax exemption to persons with disabilities and limited income to owner-occupied co-op units. There are currently 192 exemptions countywide under the current provision and this local law, if passed will then extend the exemption to 5 coops in the county: two in the City of Poughkeepsie, 1 in the Town of Poughkeepsie, 1 in Fishkill, and 1 in the Village of Wappinger. It is our estimation that the impact to the total assessed value will be minimal.

Prepared by: Jessica White, Budget Office

The foregoing Resolution No. 2016018, Local Law No. 1 of 2016, was laid on desks by mail, email, and in mailboxes on January 7, 2016, and considered on January 25, 2016.

Roll call vote at that time resulted as follows:

AYES: 25 Borchert, Miccio, Bolner, Strawinski, Amparo, Black,
 Brendli, Coviello, Flesland, Forman, Horton, Incoronato,
 Jeter-Jackson, Landisi, Metzger, Nesbitt, Pulver, Rieser,
 Roman, Sagliano, Surman, Thomes, Truitt, Tyner,
 Washburn

NAYS: 0

ABSENT: 0

Resolution adopted.

The County Executive held a public hearing on the foregoing Local Law on January 16, 2016 and signed it into Law on the same day. The effective date of the Local Law was February 24, 2016.

Government Services and Administration Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (C)		
District 4 - Town of Hyde Park	Black		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: 12
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion:

Total : 12 0
 Yes No
 Abstentions: 0

2016018 A LOCAL LAW AMENDING LOCAL LAW NO. 6 OF 2012, PROVIDING AN EXEMPTION FROM TAXATION BY THE COUNTY TO PERSONS WITH DISABILITIES AND LIMITED INCOMES

Date: January 21, 2016

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert		
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Nesbitt		
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District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

Present: 25

Resolution: ✓

Total : 25 0

Absent: 0

Motion:

Yes No

Vacant: 0

Abstentions: 0

2016018 A LOCAL LAW AMENDING LOCAL LAW NO. 6 OF 2012, PROVIDING AN EXEMPTION FROM TAXATION BY THE COUNTY TO PERSONS WITH DISABILITIES AND LIMITED INCOMES

Date: January 25, 2016

RESOLUTION NO. 2016019

RE: ADOPTION OF THE PERMANENT RULES OF THE DUTCHESS COUNTY LEGISLATURE

Legislators SAGLIANO and TRUITT offer the following and move its adoption:

RESOLVED, that the Permanent Rules, as attached hereto, be and they hereby are adopted as the Permanent Rules of the Dutchess County Legislature, effective January 1, 2016.

STATE OF NEW YORK

ss:

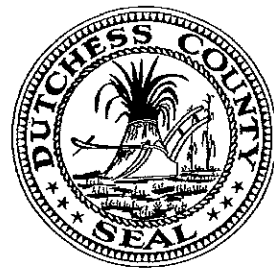
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 25th day of January 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 25th day of January 2016.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

2016



**Permanent Rules of the
Dutchess County Legislature**

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*PERMANENT RULES OF THE
DUTCHESS COUNTY LEGISLATURE
FOR THE YEAR 2016*

ARTICLE I

*ORGANIZATIONAL MEETING OF THE
COUNTY LEGISLATURE*

RULE 1.1 ORGANIZATION MEETING:

The Organizational meeting of the County Legislature shall be conducted on or before the first Tuesday after the first Monday in January at 7:00 pm.

RULE 1.2 NOTICE OF ORGANIZATIONAL MEETING:

The Clerk of the County Legislature shall serve upon each member of the Legislature a written notice stating the date, time and place of meeting pursuant to Section 151 of the County Law. In the event of a vacancy in the Office of the Clerk of the Legislature, or his/her inability or failure to act in accordance with this provision, notice shall be given by the Deputy Clerk. If the offices of Clerk and Deputy Clerk of the Legislature are vacant, notice shall be given by the County Clerk.

*RULE 1.3 ELECTION OF CHAIR OF THE
LEGISLATURE AND LEADERSHIP:*

A. A Chair of the County Legislature shall be elected by a roll call vote from the membership of the County Legislature at its Organizational Meeting, or at an adjourned meeting thereof, who shall serve as Chair for the balance of the calendar year. In

the event of a vacancy, the County Legislature shall fill the office of Chair in the manner provided by its rules. Should the County Legislature fail to select a Chair within thirty (30) days after the office shall become vacant for any reason, the County Executive shall appoint a member of the County Legislature to serve as its Chair for the balance of the calendar year, as provided in Section 302 (j) of the Dutchess County Charter.

B. Prior to the commencement of the Legislative Term, Members of the two political parties which shall have polled the largest vote in the past general election for the County Legislature shall elect leaders of their respective parties. The leader of the political party whose membership constitutes a majority shall be known as Majority Leader; the leader of the other political party shall be known as Minority Leader. The assistant leader of the political party whose membership constitutes a majority shall be known as Assistant Majority Leader; the assistant leader of the other political party shall be known as the Assistant Minority Leader.

RULE 1.4 APPOINTMENT OF CLERK OF LEGISLATURE

A Clerk of the Legislature shall be appointed by the Legislature at its Organizational Meeting, or at an adjourned meeting thereof, in the manner provided by its rules. The Clerk shall be and remain an elector of the County, and he/she shall serve at the pleasure of the Legislature and until his/her successor shall be appointed and shall qualify. A vacancy in the Office of the Clerk shall be filled by the County Legislature. The Legislature may appoint such Deputy Clerks and employees as it may require.

*RULE 1.5 APPOINTMENT OF COUNSEL TO THE
LEGISLATURE:*

A Counsel to the Legislature shall be appointed in accordance with the provisions of Section 2.14 of the Dutchess County Charter.

RULE 1.6 CONFIRMATION OF APPOINTMENTS:

Confirmation of appointment, where required by the Dutchess County Charter, shall be by affirmative roll call vote of a majority of the members of the County Legislature, except that if the Legislature shall fail to take action within sixty (60) days after the filing of written notification of appointment with the Clerk of the Legislature such appointment shall be deemed approved.

ARTICLE II

MEETINGS OF THE LEGISLATURE

RULE 2.1 GENERAL PROVISIONS OF MEETINGS:

The County Legislature shall, in addition to its Organizational Meeting, hold regular meetings at stated intervals and special meetings as herein provided, all of which shall be public and may be adjourned from time to time. All such meetings shall be held at the Legislative Chambers in the Dutchess County Office Building, City of Poughkeepsie, Dutchess County, New York, and shall begin at the hour specified in these Rules unless a different time and place shall be provided by a motion for adjournment, or by notice of a special meeting. All meetings - regular, adjourned, or special - shall begin with the Pledge of Allegiance to the Flag. The time of convening and adjournment of each meeting shall be recorded in the Proceedings of the County Legislature.

RULE 2.2 REGULAR MONTHLY MEETINGS:

A. Regular monthly meetings of the County Legislature shall commence at 7:00 pm on the second Monday in each month during the year, except when the second Monday of a month shall fall on a legal holiday, in which case, such regular monthly meeting shall be held on the following day at the same hour and place, except in the month of January when the regular monthly meeting shall be on the fourth Monday of the month. Meetings of the Legislature may be established by resolution at the Organizational meeting for the ensuing term.

B. The Clerk of the County Legislature shall serve upon each member of the Legislature electronic notice or if requested written notice stating the date, time and place of the meeting at least forty-eight (48) hours before the date of the meeting, stating the subject matter of all resolutions, ordinances and local laws to be voted on at such meeting, except as otherwise provided in Rule 4.5. Such meeting may be postponed for up to 24 hours by the Chair of the Legislature.

RULE 2.3 SPECIAL MEETINGS:

Special meetings shall be held at the Call of the Clerk or Deputy Clerk of the Legislature upon direction of the Chair or upon written request signed by a majority of the members of the Legislature; notice in writing stating the time, place and purpose of the special meeting shall be served either personally, by mail, and electronic mail upon each member by the Clerk of the Legislature. In the event that such service is personal, it shall be made at least forty-eight (48) hours in advance of such meeting, upon each member of the Legislature by the Clerk of

the Legislature or his/her designee, who is competent to execute service of process in the State of New York. In the event that such service is by mail it shall be made upon each member of the Legislature at least seventy-two (72) hours in advance of such meeting by the Clerk of the Legislature. Service shall be deemed complete when deposited in a postage, prepaid envelope in a duly maintained depository of the United States Postal Service.

Service either personal, or by mail and by electronic mail shall be evidenced by a notarized affidavit of service duly executed by the person making service. A member may waive the service of notice of such meeting by a waiver signed by the member.

Such meeting may be postponed for up to 24 hours by the Chair of the Legislature.

RULE 2.4 DUTIES OF THE CLERK OF THE LEGISLATURE:

The Clerk of the Legislature shall keep a record of all acts and proceedings of the Legislature and be the custodian of the records, vouchers and other papers required or authorized by law to be deposited in his/her office. The Clerk's responsibilities will include, but are not limited to, forwarding to all Legislators committee reports and printed draft minutes of all committee meetings and full Legislature meetings. He/she shall perform such additional and related duties as may be prescribed by law and/or directed by the County Legislature.

ARTICLE III

ORDER OF BUSINESS

RULE 3.1 ORDER OF BUSINESS:

The Order of Business at each meeting of the County Legislature shall be as follows:

- a) Roll Call by the Clerk of the Legislature;
- b) Pledge of Allegiance to the Flag, Invocation, and a Moment of Silent Meditation;
- c) Proclamations, Commendations and Presentations
- d) Privilege of the Floor with respect to printed agenda items;
- e) Approval of prior month's meeting minutes
- f) Resolutions
 - 1) Consent Resolutions
 - 2) All Other Resolutions
 - 3) Resolutions for Unanimous Consent;
- g) Other County business;
- h) Announcements (limited to three minutes)
- i) Privilege of the Floor with respect to agenda and non-agenda County business; and
- j) Adjournment.

ARTICLE IV
RULES OF ORDER AND PROCEDURE

RULE 4.1 ROLL CALL:

The members of the County Legislature shall be called to order by the Chair at every meeting of the Legislature and it shall be the duty of the Clerk of the Legislature to call roll and record names of those members who are present or absent. Any member arriving after the roll call has been completed shall report to the Clerk and shall be recorded "Present, Late."

RULE 4.2 ATTENDANCE AND QUORUM:

A. A Majority of the whole of the members of the County Legislature shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

B. A member of the County Legislature who has answered roll call at any meeting of the Legislature shall not be permitted to absent himself/herself from such meeting without notifying the Clerk.

C. Any legislator failing to be properly seated at any regular or special meeting of the Legislature shall be recorded absent by the Clerk.

RULE 4.3 POWERS AND DUTIES OF THE CHAIR:

- A. It shall be the duty of the Chair of the Dutchess County Legislature:
- a) to become familiar with the property, function and fiscal affairs of the County;
 - b) to see that the statutes, local laws and resolutions of the County Legislature and directions of County officers empowered to make the same are faithfully executed and report to the Legislature any neglect of duty; and
 - c) to make recommendations to the County Legislature on legislation and such other matters deemed material and advisable.
- B. The Chair shall preside at all meetings of the Legislature at which he/she is present; shall preserve order and decorum; shall decide all questions of order subject to appeal to the Legislature; and shall perform such duties as are provided by Law and these Rules.
- C. In the event that the Chair fails to appear within fifteen (15) minutes of the time fixed for a meeting of the Legislature, it shall be the duty of the Clerk of the Legislature to call the meeting to order and the Legislative members present, by a majority vote, shall select a member of the Legislature as Chair who shall have and exercise all the duties and powers of the Chair as temporary Chair for said meeting.
- D. The Chair shall designate a Legislator as acting Chair to preside when the Chair desires to speak from the floor on any pending matter. Such designation shall be effective until the

question on the floor is disposed of or the Chair elects to return to the Chair.

E. The Chair shall in all cases, have the right to vote, except on appeals to the Legislature from decisions of the Chair; on all other questions, when the vote is equally divided, including the vote of the Chair, the question shall be lost.

F. The Chair shall have the power to:

- a) determine what officers and employees of the Legislative Branch may attend conferences and schools conducted for the betterment of County government.
- b) perform such other duties as the Legislature may determine to be necessary to give full effect to the provisions of the County Law or these Rules.

G. The Chair may declare an emergency and adjourn a regular or special meeting to a date not to exceed seven (7) days beyond the meeting so adjourned.

H. After the Organizational Meeting of the Legislature, the Chair shall establish a seating plan. Such plan shall be observed at all regular and special meetings of the Legislature.

I. The Chair will notify, in a timely fashion, the sponsors of any resolutions, including those resolutions submitted by the Executive Branch, petitions, reports, or local laws which may have conformed to all other requirements of the Legislative rules but have been pulled by the Chair. This notification will be accompanied by a written explanation from the Chair.

RULE 4.4 PRIVILEGE OF THE FLOOR:

Persons not members of the County Legislature may, on motion to suspend the rules, be permitted to speak in regard to matters pending before the Legislature or in the process of being presented to said Legislature.

***RULE 4.5 PETITIONS, REPORTS, MOTIONS,
RESOLUTIONS AND ANNOUNCEMENTS:***

A. All petitions, reports, and resolutions shall be reduced to writing, sponsored by at least two members of the Legislature and filed with the Clerk.

B. Any Legislator who wishes to be a sponsor of any resolution shall notify the Clerk, at any time prior to the taking of the vote, and the Clerk with the permission of the sponsors(s) shall add the Legislator's name to the resolution as a sponsor or co-sponsor.

C. Petitions, reports, and communications may be presented to the County Legislature by the Chair or any member of the Legislature and the same or a summary thereof shall be read by the Clerk.

D. All petitions, reports, motions, resolutions and communications requiring action of a committee shall be referred by the Chair without motion to the committee having in charge matters relating to the same.

E. All resolutions, to be presented at a regular, adjourned or special meeting of the County Legislature shall be filed with the Clerk of the County Legislature not later than 4:45 pm on

the resolution deadline date established annually except that this requirement may be waived by the Chair of the Legislature.

F. All resolutions amending the adopted budget or directing a capital expenditure must be submitted with a fiscal impact statement.

G. All resolutions authorizing the bonding of expenditures of \$500,000 or more shall be presented at a meeting of the relevant Committee no later than seven (7) calendar days prior to the regularly scheduled legislative committee day and copies thereof shall be placed immediately thereafter in the mailbox of each legislator located in the legislative office. This requirement may be waived by the Chair of the Legislature.

H. No resolution except those subject to Rule 4.5 (G) shall be considered by a committee unless the same shall have been placed in the mailbox of each legislator located in the legislative office at least three (3) calendar days prior to the legislative committee day. This requirement may be waived by the Chair of the Legislature or in his/her absence by the Chair of the relevant Committee.

I. A proposed local law may be introduced by a member of the Legislature at a meeting of the Legislature by laying it on the desks of each Legislator.

As an alternative means of introduction, the Chair of the Legislature may introduce the Local Law by mailing copies to each Legislator in postpaid, properly addressed and securely closed envelopes or wrappers in a post box or post office of the United States Post Office, at least ten (10) calendar days, exclusive of Sunday, prior to a meeting of the Legislature and, at the same time, placing copies in the mailbox of each Legislator at the Legislative office.

J. The Clerk will notify, in a timely fashion, the sponsors of any resolutions, including those resolutions submitted by the Executive Branch, petitions, reports, or local laws which have conformed to all other requirements of the Legislative rules which have been pulled by the Committee Chair.

K. A Consent Agenda may be presented by the Chair of the Legislature at the beginning of a meeting. Any item of business requiring action by the Legislature but considered to be routine or not controversial in nature, may be presented as part of the Consent Agenda. The Consent Agenda shall be introduced by a motion "to approve the Consent Agenda" and shall be considered by the Legislature as a single item. The motion to approve the Consent Agenda is not debatable. Upon objection by any Legislator to inclusion of any item on a Consent Agenda, that item shall be removed from the Consent Agenda. Such objections may be recorded any time prior to the taking of a vote on a motion to approve the Consent Agenda. Any item removed from the Consent Agenda shall be considered as part of all other resolutions portion of the agenda. The approval of motion to approve the Consent Agenda shall be fully equivalent to approval, adoption or enactment of each such motion or resolution or other item of business thereon, exactly as if each had been acted upon individually.

L. The Legislature can discharge from committee a matter that has been referred to it upon which the committee has not reported back to the Legislature, or which has been defeated in committee, by a majority vote of the Legislature as fully constituted, or a majority of those present and voting if previous notice of intent to discharge from said committee is given.

M. A memorialization resolution is used to make any

statement that asks another government official or body to act, or intended to encourage support or opposition to an action by or being considered by another government official or body. Any memorialization shall require at least four sponsors and must have a direct impact on Dutchess County Government and also provide a fiscal impact statement for such proposed action. Any memorializations to the NYS Legislature or the US Congress must have bill numbers in both houses and the bills must be referred to and attached to the resolution.

N. With respect to Rule 3.1 (h) "Announcements", all such announcements must be submitted to the Clerk of the Legislature by 5:00 p.m. on the day of the Board Meeting and will be announced by the Clerk.

RULE 4.6 PRIORITY OF BUSINESS:

All questions relating to the priority of business under the same order of business shall be decided by the Chair without debate.

RULE 4.7 WHEN DEBATE IN ORDER:

No debate shall be in order until the pending questions shall be stated by the Chair.

RULE 4.8 ADDRESSING THE CHAIR:

A member rising to debate, to give notice, to make a motion, or report, or to present a petition on other Legislative business, shall address the Chair and shall not proceed until recognized by the Chair. When two or more members rise to speak at the same time, the Chair shall decide and determine which member is entitled to the floor.

RULE 4.9 CALLS TO ORDER:

If a member shall breach or violate the Rules of the County Legislature or *Robert's Rules of Order* (newly revised), the Chair shall call him/her to order, in which case the member so called shall yield the floor and observe order and decorum until recognized by the Chair.

RULE 4.10 FLOOR MOVEMENT

In order to preserve the order, decorum and security of the Legislature, the floor of the Legislative Chamber will be restricted during meetings to Legislators, Legislature Staff, Countywide Elected Officials, Administration Representatives, Department heads, and those granted permission by the Chair.

RULE 4.11 BANNER, SIGNS AND PLACARDS

Banners, signs and placards are disruptive to the deliberative process. Any display of banners, signs, or placards in the Legislative Chambers is prohibited.

RULE 4.12 PUBLIC CONDUCT

A. All visitors and spectators in the Dutchess County Legislature must be respectful and obey the rules of order promulgated by the Legislature

B. Except for during commendations and proclamations applause from the public is prohibited.

RULE 4.13 MEMBERS ENTITLED TO VOTE:

A. Any member who shall be present when the Chair announces a vote shall vote, unless he/she has obtained permission of the chair to abstain. A member who refuses to cast a vote or who does not obtain permission to abstain, shall be deemed to have voted with the prevailing side on the motion. In the event of a tie vote, the vote shall be deemed to be a nay vote.

1. A member may be allowed to abstain from voting aye or nay on the adoption of minutes of legislative meetings that transpired prior to the member's election to the Legislature.

2. A member may be allowed to abstain from voting aye or nay on the adoption of minutes of legislative meetings wherein that member was not in attendance.

B. A member has the right to change his/her vote up to the time the vote is finally announced by the Clerk.

C. A member who declares a conflict or an intent to abstain may not participate in the discussion of the question. A member with an actual conflict as defined in the Dutchess County Code of Ethics shall obtain permission to recuse themselves and shall remove themselves from the Chambers during deliberations.

D. Any member who shall leave the Legislative Chambers without permission from the Chair shall be considered an unauthorized absence and they shall be deemed to have voted with the prevailing side on any motion during their unauthorized absence. In the event of a tie vote, the vote will be deemed to be a nay vote.

RULE 4.14 APPEAL FROM DECISION OF CHAIR:

A. Any member of the Legislature may appeal from any decision of the Chair, except when another appeal is pending, but it can be made only at the time the ruling is made. If any debate or business has intervened, it is too late to appeal.

B. When a member wishes to appeal from the decision of the Chair, he/she shall do so as soon as the decision is made, even though another has the floor and without waiting to be recognized by the Chair, saying, "Madame/Mr. Chair, I appeal from the decision of the Chair." If this appeal is seconded, the Chair should state clearly the question at issue and his reasons for the decision if he/she thinks it necessary and then state the question. If there is a tie vote, the Chair is sustained.

C. An appeal cannot be debated when related to indecorum, transgression of rules of speaking, priority of business or while the immediately-pending question is undebatable. When debatable, no member is allowed to speak more than once except the Chair, who may at the close of the debate answer the arguments against the decision.

RULE 4.15 VOTE REQUIRED FOR ADOPTION OF RESOLUTIONS:

A. It shall require a majority vote of all members of the Legislature to adopt a resolution; however, any procedural matter may be adopted by a majority of the members present, except where these rules expressly provide to the contrary and where otherwise required by law.

B. Once the County Budget in any given fiscal year has been adopted it shall require 2/3 affirmative vote of all members of the Legislature to adopt resolutions authorizing the transfer of funds

from any contingency line in the adopted County Budget or from the fund balance.

RULE 4.16 EFFECTIVE DATE OF RESOLUTIONS

All resolutions shall become effective as provided by law.

***RULE 4.17 POWER TO AMEND OR REPEAL
RESOLUTIONS, ORDINANCES AND
LOCAL LAWS:***

Except as otherwise expressly provided by law or these Rules, the Legislature shall have the power to amend, repeal or supersede any local laws, ordinances or resolutions theretofore adopted.

RULE 4.18 ROLL CALL VOTE TAKEN:

The roll call vote shall be taken on any questions when required by statute or these Rules, or upon demand by any member of the Legislature at any time prior to stating the next question.

RULE 4.19 WITHDRAWAL OF A MOTION:

A motion for leave to withdraw a motion may be made by the mover at any time before voting on the question has commenced, even though the motion has been amended and it requires no second. After the question has been stated, it is in possession of the Legislature, and a member can neither withdraw nor modify it without the consent of the Legislature.

RULE 4.20 MOTIONS WHEN RECEIVABLE:

When a question is under debate, no motion shall be

entertained unless:

- 1) for an adjournment;
- 2) to lay on the table;
- 3) for the previous questions;
- 4) to postpone;
- 5) to refer to a committee;
- 6) to amend.

These motions shall have preference in the order in which they are here stated; the first four motions are neither amendable nor debatable.

RULE 4.21 ADJOURNMENT:

A motion to adjourn may be made by a member who has the floor; it cannot be made during a roll call or when the Legislature is engaged in voting and it shall be decided without debate.

RULE 4.22 MOVING THE QUESTION:

A. The Chair shall not close debate so long as any member who has not exhausted his/her right to debate desires the floor, except by order of the Legislature, which requires a 2/3 majority of those present and voting.

B. The form of this motion is "I move (or demand, or call for) the question on (here specify the motion on which it is desired to be ordered)." It cannot be debated or amended and must be voted on immediately. When the Legislature shall order the question and amendments are pending, the questions shall first be taken upon such amendments in reverse order and then upon

the main question without further debate or amendment.

RULE 4.23 POSTPONEMENT OF CONSIDERATION:

A. A motion to lay a question on the table shall be decided without amendment or debate. This motion cannot be applied to anything except a question actually pending.

B. A motion to postpone to a day certain or to make the consideration of the question a special order for a day certain shall until it is decided preclude all amendments to the main question. A question cannot be postponed beyond the next regular session of the Legislature.

RULE 4.24 REFERENCE TO COMMITTEE:

The motion to commit or refer to a committee shall, until it is decided, preclude all amendments to the main question.

RULE 4.25 RECONSIDERATION GENERALLY:

No motion for reconsideration shall be in order unless made on the same day, or the meeting, regular or special, next succeeding that on which the decision proposed to be reconsidered took place, it must be made by a member who voted with the prevailing side on the vote of the motion or resolution proposed to be reconsidered.

RULE 4.26 MINUTES OF MEETINGS OF THE LEGISLATURE:

A. All resolutions, reports of committees of this Legislature, reports of County Officers, notices and communications from State Officers directing the levy of any tax shall be printed in full in the proceedings of the Legislature.

B. The printed minutes of the Clerk shall record the reading of other communications with sufficient description to show their nature and purpose, but they need not be printed in full in the proceedings except upon the order of this Legislature. Public comment shall be included in the minutes, which will include the name of the person who speaks.

C. In all cases where a resolution or motion is entered on the minutes the Clerk shall enter the name of the moving members.

D. A draft of the previous regular monthly meeting's minutes shall be given to Legislators, either by e-mail or in their mail boxes, no later than five days before the next regularly scheduled monthly meeting. Accepted minutes shall be made available to Legislators no more than seven days after the meeting at which they were accepted. The same requirements shall apply to the minutes of any special meeting conducted by the Legislature.

RULE 4.27 WHERE NO EXPRESS RULE IS PROVIDED:

Except as herein otherwise provided, *Robert's Rules of Order* (newly revised), shall be applicable and shall govern.

RULE 4.28 STATE STATUTE OR COUNTY CHARTER SHALL GOVERN:

A. In the event that any Rules herein, or portion thereof, is inconsistent or in conflict with any State Statute or County Charter, the said State Statute or County Charter shall govern.

B. In the absence of any rule or in the event of an inconsistency of any rules of this Legislature with respect to any requirement of the statutes of the State of New York or the County Charter, such statutory provision or requirement shall be deemed to be a

part of these Rules and such statute shall govern.

RULE 4.29 AMENDMENT TO RULES:

The Legislature shall have the power to amend these Rules by affirmative vote of a majority of the whole Legislature.

ARTICLE V

COMMITTEES

RULE 5.1 CREATION OF COMMITTEES:

For the purpose of aiding or assisting the Legislature in the transaction of its business, the Legislature shall create Standing and Special Committees. The local law or resolution creating such Standing or Special Committee shall specify the power, duties and number of such committee members.

RULE 5.2 GENERAL DUTIES AND FUNCTIONS OF COMMITTEES:

Every committee shall have actual or implied authority to do whatever is necessary to carry out the functions of the committee or whatever is reasonably incidental thereto, and shall do things as may be necessary or advisable to comply with the requirements of the law and of this Legislature.

RULE 5.3 TIME AND MANNER OF APPOINTMENT OF COMMITTEES:

Except as specifically required by law, all committees of this Legislature shall be appointed from its membership by the Chair within thirty (30) days from the date of the Organizational Meeting by filing with the Clerk a list showing the name of the

committee and the membership thereof and all vacancies shall be filled in like manner. The Clerk shall, upon receipt of such list, mail a copy to each member of the Legislature. Those committees specifically required to be appointed pursuant to law shall be created as directed by Statute. The Chair of the Legislature, Majority Leader, Assistant Majority Leader, Minority Leader and Assistant Minority Leader shall be ex officio members of each of said Committees.

RULE 5.4 TERM OF COMMITTEE MEMBERSHIP:

A member of any Standing or Special Committee shall serve until the end of the year of his/her appointment unless sooner replaced by the Chair for stated written cause. Each member of any Special Committee shall serve for a period specified in the resolution appointing him/her unless sooner replaced by the Chair; provided, however, no committee member shall serve longer than the term of which he/she shall have been elected as Legislator.

RULE 5.5 RULES OF PROCEDURE FOR COMMITTEES:

A. The Chair of each committee shall be the Presiding Officer and shall cause the members thereof to be notified twenty-four (24) hours in advance of each meeting and call all necessary and required meetings. Upon his refusal or neglect to call any meeting, the Clerk of the Legislature upon written request signed by a majority of the committee shall call such meetings. Each committee shall perform the duties assigned to it by the Legislature and such other duties as may be required by law.

B. The Order of Business at each meeting of Committees of the County Legislature shall be as follows:

- a) Roll Call by the Clerk

- b) Presentations and Reports
- c) Privilege of the floor with respect to printed agenda items, except during budget review sessions of the Budget, Finance & Personnel Committee subject to Rule 5.13 (A) and the review session of the Capital Project Plan during Public Works and Capital Projects Committee
- d) Consideration of Resolutions with respect to printed agenda items
- e) Other Business
- f) Adjournment

C. A quorum shall be defined as a majority of the members of any given committee including the Chair of the Legislature, the Majority Leader, the Minority Leader, the Assistant Majority Leader, and the Assistant Minority Leader.

For the purpose of conducting the business of any given committee, a quorum must be maintained. Except as provided in Rule 4.13, once a quorum has been established all voting shall be decided by a majority of those present and voting, including the Chair of the Legislature, the Majority Leader, the Minority Leader, the Assistant Majority Leader and the Assistant Minority Leader. Except as provided in Rule 4.13, all committee determinations shall be on recorded roll call vote of a majority of those present and voting. All votes shall be cast in person in open session of the committee.

D. The chair of a committee shall not close debate so long as any member of the committee who has not exhausted his/her right to debate desires the floor, except by order of the committee, which requires a 2/3 majority of those members present. Every member of the committee present shall have the opportunity to speak at least once for a period not to exceed ten minutes.

E. No report shall be made by any committee on any subject referred to it in the absence of approval by a majority of the said committee unless a majority of the Legislature so orders or directs.

F. All committee meetings shall be open to the public, except as otherwise provided by law.

G. The Chair of each committee shall appoint a standing subcommittee for the purpose of reviewing and making recommendations regarding appointments submitted for confirmation by the Legislature. Such appointments to the standing subcommittee will be provided to the Majority and Minority leaders by February 1st along with any changes that are made during such term.

*RULE 5.6 COMMITTEE AUTHORIZED TO ACCEPT
HELP FROM NON-MEMBERS*

Any committee of this Legislature is authorized to accept advice and counsel from citizens who are not members of the Legislature.

*RULE 5.7 POWERS AND DUTIES OF THE LEGISLATURE
NOT BE DELEGATED;*

Except when expressly authorized by law, nothing herein shall be deemed to authorize the delegation of the power, duties, or responsibilities of the legislature, or of any officer.

RULE 5.8 REFERENCE TO COMMITTEES;

A. No action shall be taken by the Legislature upon any matter or resolution on the same day on which it is presented, except for the election or appointment of the Chair, Clerk, and

Deputy Clerk of the County Legislature, members of committees whose terms have expired, resolutions directing the Chair and the Clerk of the Legislature to sign tax rolls and affix the seal of the Legislature thereto, resolutions ratifying and confirming the tax rolls and directing the collection of taxes, and matters or resolutions which have theretofore been considered by and reported out of committee.

B. Except by unanimous consent of the Legislature in attendance, no matter, except the election or appointment of the Chair, Clerk, and Deputy Clerk of the County Legislature, shall be acted upon by the Legislature until after reported out by the proper committee.

C. Any resolution considered by a committee shall be considered by any subsequent committee in the form reported out by the prior committee. The resolution considered or amended by the last committee to consider or amend such resolution shall be the version of such resolution listed on the Legislature's meeting agenda.

RULE 5.9 REFERENCE TO SPECIAL COMMITTEE:

Upon the majority vote of all members of the Legislature, any matter entrusted to any committee may be withdrawn from the consideration of such committee and referred to a special committee appointed in such manner as the resolution withdrawing such matter shall direct.

RULE 5.10 RESIGNATION FROM COMMITTEE:

No member shall be entitled to resign from any Committee to which he/she has been appointed unless said application has been approved by the Chair of the Legislature.

*RULE 5.11 PRESIDING OFFICER OF THE COMMITTEE
OF THE WHOLE:*

In forming a Committee of the Whole Legislature, the Chair shall leave the Chair and appoint another Legislator to preside.

*RULE 5.12 RULES FOR THE COMMITTEE OF
THE WHOLE:*

A. The Rules of the Legislature shall be observed by this Committee so far as they may be applicable except limiting the number of times of speaking and except that the yeas and nays shall not be taken on substantive matters and except that a motion to rise and report progress shall always be in order and decided without debate.

B. The Committee of the Whole shall be open to the public, except as otherwise provided by law, with no public comment.

*RULE 5.13 STANDING COMMITTEES OF THE
LEGISLATURE:*

A. BUDGET, FINANCE, AND PERSONNEL

This committee shall consist of twelve (12) members of the Legislature inclusive of ex officio members.

Except as to matters specifically assigned to other committees, this committee shall have referred to it all matters relating to or arising out of the requirements of the law and the action of the Legislature with respect to:

- 1) Annual Budget Review
- 2) Arts, History, Tourism
- 3) County Comptroller

- 4) Dutchess Community College
- 5) Economic Development Corporation
- 6) Economic Development Zone
- 7) Employee Contracts
- 8) Finance
 - Real Property Tax
- 9) Grants
- 10) Human Resources
 - Risk Management
- 11) Industrial Development Agency
- 12) Leases
- 13) Merit Awards
- 14) Off-Track Betting
- 15) Taxes - hotel/motel, property, sales
- 16) Above Department Budget Amendments

Notwithstanding Rule 5.5 (B)(c) it is intended that public comment on the Tentative Budget and Capital Project Plan and the reports by these committees will be reserved for a public hearing(s) on said budget and capital project plan.

B. ENVIRONMENT

This committee shall consist of twelve (12) members of the Legislature inclusive of ex officio members.

Except as to matters specifically assigned to other committees, this committee shall have referred to it all matters relating to or arising out of the requirements of law and the action of the Legislature with respect to:

- 1) Cooperative Extension

- 2) Environmental Impact Statements
- 3) Environmental Mangament Council
- 4) Fish & Wildlife
- 5) Grants
- 6) Forest Practice Board
- 7) Planning and Development, Department of
- 8) Resource Recovery Agency
- 9) Soil Conservation Board
- 10) Solid Waste Agency
- 11) Water and Natural Resources
- 12) Above Department Budget Amendments

C. FAMILY AND HUMAN SERVICES

This committee shall consist of twelve (12) members of the Legislature inclusive of ex officio members.

Except as to matters specifically assigned to other committees, this committee shall have referred to it all matters relating to or arising out of the requirements of law and the action of the Legislature with respect to:

- 1) Aging
- 2) Community Action Agency
- 3) Community and Family Services, Department of
Youth Services
- 4) Family Court
- 5) Grants
- 6) Health Department
Weights and Measures
Veterans Services
- 7) Mental Hygiene Department
- 8) Voluntary Action Agency
- 9) Above Department Budget Amendments

D. GOVERNMENT SERVICES AND ADMINISTRATION

This committee shall consist of twelve (12) members of the Legislature inclusive of ex officio members.

Except as to matters specifically assigned to other committees, this committee shall have referred to it all matters relating to or arising out of the requirements of law and the action of the Legislature with respect to:

- 1) Board of Elections
- 2) Board/Code of Ethics
- 3) Central and Information Services, Office of
Central Services
- 4) County Attorney
- 5) County Charter
- 6) County Clerk
- 7) County Executive
- 8) County Legislature
- 9) Grants
- 11) Local Laws
- 12) Above Department Budget Amendments

E. PUBLIC SAFETY

This committee shall consist of twelve (12) members of the Legislature inclusive of ex officio members.

Except as to matters specifically assigned to other committees, this committee shall have referred to it all matters relating to or arising out of the requirements of law and action of the Legislature with respect to:

- 1) Commissioner of Jurors

- 2) County of Courts (except Family Court)
- 3) County Sheriff
- 4) District Attorney
- 5) Emergency Response, Department of
- 6) Grants
- 7) Homeland Security
- 8) Probation & Community Correction, Department of
- 9) Public Defender
- 10) STOP-DWI
- 11) Traffic Safety
- 12) Above Department Budget Amendments

F. PUBLIC WORKS AND CAPITAL PROJECTS

This committee shall consist of twelve (12) members of the Legislature inclusive of ex officio members.

Except as to matters specifically assigned to other committees, this committee shall have referred to it all matters relating to or arising out of the requirements of law and the action of the Legislature with respect to:

- 1) Capital Budget
- 2) Capital Projects
- 3) Grants
- 4) Public Works, Department of
 - Airport
 - Buildings and Grounds
 - Dutchess Stadium
 - Highways
 - Parks
- 5) Above Department Budget Amendments
- 6) Transportation

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Discussion on Resolution No. 2016019 proceeded as follows:

Legislator Incoronato moved to amend the foregoing resolution, duly seconded by Legislator Surman, Rule 4.5, PETITIONS, REPORTS, MOTIONS, RESOLUTIONS AND ANNOUNCEMENTS as follows:

- A. All petitions, reports, and resolutions shall be reduced to writing, sponsored by at least two members of the Legislature and filed with the Clerk. ~~Memorialization resolutions shall require at least four sponsors.~~
- M. A memorialization resolution is used to make any statement that asks another government official or body to act, or intended to encourage support or opposition to an action by or being considered by another government official or body. ~~Any memorialization must have a direct impact on Dutchess County Government and must have a fiscal impact statement to be considered.~~ **Any memorialization shall require at least four sponsors and must have a direct impact on Dutchess County Government and also provide a fiscal impact statement for such proposed action.** Any memorialization to the NYS Legislature or the US Congress must have bill numbers in both houses and the bills must be referred to and attached to the resolution.

Roll call on the foregoing amendments resulted as follows:

AYES: 24 Borchert, Miccio, Bolner, Strawinski, Amparo, Black, Brendli, Coviello, Flesland, Forman, Horton, Incoronato, Jeter-Jackson, Landisi, Metzger, Nesbitt, Pulver, Rieser, Roman, Sagliano, Surman, Thomes, Truitt, Washburn

NAYS: 1 Tyner

The foregoing amendment was adopted.

Legislator Tyner moved to amend the foregoing resolution, duly seconded by Legislator Amparo, Rule 4.5, PETITIONS, REPORTS, MOTIONS, RESOLUTIONS AND ANNOUNCEMENTS, as follows:

- A. All petitions, reports, and resolutions shall be reduced to writing, sponsored by at least two members **not four and this Rule should actually be adhered to** of the Legislature and filed with the Clerk.

Roll call on the foregoing amendments resulted as follows:

AYES: 2 Amparo, Tyner

NAYS: 23 Borchert, Miccio, Bolner, Strawinski, Black,

Brendli, Coviello, Flesland, Forman, Horton, Incoronato, Jeter-Jackson, Landisi, Metzger, Nesbitt, Pulver, Rieser, Roman, Sagliano, Surman, Thomes, Truitt, Washburn

The foregoing amendment was defeated.

Legislator Tyner moved to amend the foregoing resolution to delete Rule 4.11 BANNERS, SIGNS AND PLACARDS in its entirety.

The foregoing amendment failed due to lack of second.

Legislator Tyner moved to amend the foregoing resolution, duly seconded by Legislator Strawinski, Rule 5.5 B. c) RULES OF PROCEDURE FOR COMMITTEES, as follows:

c) Privilege of the floor with respect to printed agenda items, ~~except during budget review sessions of the Budget, Finance & Personnel Committee subject to Rule 5.13 (A) and the review session of the Capital Project Plan during Public Works and Capital Projects Committee~~

Roll call on the foregoing amendments resulted as follows:

AYES: 7 Strawinski, Amparo, Black, Brendli, Rieser, Jeter-Jackson, Tyner

NAYS: 18 Borchert, Miccio, Bolner, Coviello, Flesland, Forman, Horton, Incoronato, Landisi, Metzger, Nesbitt, Pulver, Roman, Sagliano, Surman, Thomes, Truitt, Washburn

The foregoing amendment was defeated.

Roll call on the foregoing resolution resulted as follows:

AYES: 24 Borchert, Miccio, Bolner, Strawinski, Amparo, Black, Brendli, Coviello, Flesland, Forman, Horton, Incoronato, Jeter-Jackson, Landisi, Metzger, Nesbitt, Pulver, Rieser, Roman, Sagliano, Surman, Thomes, Truitt, Washburn

NAYS: 1 Tyner

The foregoing resolution was adopted.

Government Services and Administration Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*		1
District 17 - Town and Village of Fishkill	Miccio*		2
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		3
District 20 - Town of Red Hook	Strawinski*	1	
District 14 - Town of Wappinger	Amparo*	2	
District 1 - Town of Poughkeepsie	Nesbitt		4
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (C)		5
District 4 - Town of Hyde Park	Black	3	
District 10 - City of Poughkeepsie	Jeter-Jackson	4	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		6
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		7
District 24 - Towns of Dover and Union Vale	Surman (VC)		8
Present: <u>12</u>	Resolution: <u> </u>	Total : <u>4</u>	<u>8</u>
Absent: <u>0</u>	Motion: <u>✓</u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2016019 Legislator Strawinski motioned to amend the foregoing Rules duly seconded by Legislator Amparo as follows:

Pg. 6 Rule 3.1 Order of Business before letter d. Insert privilege of the floor with respect to non agenda items limited to three minutes per speaker not to exceed 30 minutes in total. Thirty minute limit can be exceeded at the discretion of the chair

Date: January 21, 2016

Government Services and Administration Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*		1
District 17 - Town and Village of Fishkill	Miccio*		2
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		3
District 20 - Town of Red Hook	Strawinski*	1	
District 14 - Town of Wappinger	Amparo*	2	
District 1 - Town of Poughkeepsie	Nesbitt		4
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (C)		5
District 4 - Town of Hyde Park	Black	3	
District 10 - City of Poughkeepsie	Jeter-Jackson	4	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		6
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		7
District 24 - Towns of Dover and Union Vale	Surman (VC)		8
Present: <u>12</u>	Resolution: <u> </u>	Total : <u>4</u>	<u>8</u>
Absent: <u>0</u>	Motion: <u>✓</u>	Yes <u>0</u>	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2016019 Legislator Strawinski motioned to amend the foregoing Rules duly seconded by Legislator Black as follows:

Page 8 Rule 4.3 Power and Duties of the Chairman: insert at the end in debate/he/she shall prevent personal reflections and confine members to the questions under discussion. Any legislator who engages in personal attacks upon another member of the Legislature shall yield the floor at the Chairman's order

Date: January 21, 2016

Government Services and Administration Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*		1
District 17 - Town and Village of Fishkill	Miccio*		2
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		3
District 20 - Town of Red Hook	Strawinski*	1	
District 14 - Town of Wappinger	Amparo*	2	
District 1 - Town of Poughkeepsie	Nesbitt		4
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (C)		5
District 4 - Town of Hyde Park	Black	3	
District 10 - City of Poughkeepsie	Jeter-Jackson	4	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		6
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		7
District 24 - Towns of Dover and Union Vale	Surman (VC)		8
Present: <u>12</u>	Resolution: <u>✓</u>	Total : <u>4</u>	<u>8</u>
Absent: <u>0</u>	Motion: <u>✓</u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2016019 Legislator Strawinski motioned to amend the foregoing Rules duly seconded by Legislator Black as follows:

Page Page 13 Rule 4.5 Petitions, Reports, Motions, Resolutions and Announcements: The phrase “and will be announced by the clerk” be deleted and replaced by announcements may be presented by Legislators related to events and/or meetings within their districts but will be limited to event name, date, place, time, and fees and must be free of personal reflections.

Date: January 21, 2016

Government Services and Administration Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (C)		
District 4 - Town of Hyde Park	Black		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: 12

Resolution:

Total : 12 0

Absent: 0

Motion: ✓

Yes **No**

Vacant: 0

Abstentions: 0

2016019 Legislator Strawinski motioned to amend the foregoing Rules duly seconded by Legislator Black as follows:

Anyplace in the Rules where it refers to Chairmen could it be replaced with Chairperson.

Amendment altered to state wherever Chairmen appeared in the Rules replace with Chair.

Date: January 21, 2016

Government Services and Administration Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*	1	
District 17 - Town and Village of Fishkill	Miccio*	2	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	3	
District 20 - Town of Red Hook	Strawinski*	4	
District 14 - Town of Wappinger	Amparo*	5	
District 1 - Town of Poughkeepsie	Nesbitt	6	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (C)	7	
District 4 - Town of Hyde Park	Black	8	
District 10 - City of Poughkeepsie	Jeter-Jackson	9	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	10	
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	11	
District 24 - Towns of Dover and Union Vale	Surman (VC)	12	

Present: 12

Resolution: ✓

Total : 12 0

Absent: 0

Motion:

Yes No

Vacant: 0

Abstentions: 0

**2016019 ADOPTION OF THE PERMANENT RULES OF THE DUTCHESS COUNTY
LEGISLATURE**

Date: January 21, 2016

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	1	
District 17 - Town and Village of Fishkill	Miccio	2	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	3	
District 20 - Town of Red Hook	Strawinski	4	
District 14 - Town of Wappinger	Amparo	5	
District 1 - Town of Poughkeepsie	Nesbitt	6	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	7	
District 4 - Town of Hyde Park	Black	8	
District 5 - Town of Poughkeepsie	Roman	9	
District 6 - Town of Poughkeepsie	Flesland	10	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	11	
District 8 - City and Town of Poughkeepsie	Brendli	12	
District 9 - City of Poughkeepsie	Rieser	13	
District 10 - City of Poughkeepsie	Jeter-Jackson	14	
District 11 - Towns of Rhinebeck and Clinton	Tyner		1
District 12 - Town of East Fishkill	Metzger	15	
District 15 - Town of Wappinger	Incoronato	16	
District 16 - Town of Fishkill and City of Beacon	Forman	17	
District 18 - City of Beacon and Town of Fishkill	Landisi	18	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	19	
District 21 - Town of East Fishkill	Horton	20	
District 22 - Towns of Beekman and Union Vale	Coviello	21	
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	22	
District 24 - Towns of Dover and Union Vale	Surman	23	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn	24	

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ☒
 Motion: ☒

Total: 24 1
 Yes No
 Abstentions: 0

J I / A Surman

Amend Rule 4.5 A

see attached

2016019
 1-25-16

Morris, Carolyn

From: Joe Incoronato [jincoronato@verizon.net]
ent: Sunday, January 24, 2016 7:55 PM
ro: dborchertdc03@gmail.com; Morris, Carolyn
Subject: Rules amendment for memorialization

Dale and Carolyn, for your awareness. At tomorrow's meeting I will be making the following motion to amend the legislative rules. Any concerns, please give a holler.

Joe

**DELETE LAST SENTENCE OF RULE 4.5A REGARDING 4 SPONSORS — AND
REVISE SECOND SENTENCE OF RULE 4.5M AS FOLLOWS: “ANY
MEMORIALIZATION SHALL REQUIRE AT LEAST FOUR SPONSORS, AND MUST
HAVE A DIRECT IMPACT ON DUTCHESS COUNTY GOVERNMENT AND ALSO
PROVIDE A FISCAL IMPACT STATEMENT FOR SUCH PROPOSED ACTION.”**

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert		1
District 17 - Town and Village of Fishkill	Miccio		2
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		3
District 20 - Town of Red Hook	Strawinski		4
District 14 - Town of Wappinger	Amparo	1	
District 1 - Town of Poughkeepsie	Nesbitt		5
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		6
District 4 - Town of Hyde Park	Black		7
District 5 - Town of Poughkeepsie	Roman		8
District 6 - Town of Poughkeepsie	Flesland		9
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		10
District 8 - City and Town of Poughkeepsie	Brendli		11
District 9 - City of Poughkeepsie	Rieser		12
District 10 - City of Poughkeepsie	Jeter-Jackson		13
District 11 - Towns of Rhinebeck and Clinton	Tyner	2	
District 12 - Town of East Fishkill	Metzger		14
District 15 - Town of Wappinger	Incoronato		15
District 16 - Town of Fishkill and City of Beacon	Forman		16
District 18 - City of Beacon and Town of Fishkill	Landisi		17
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		18
District 21 - Town of East Fishkill	Horton		19
District 22 - Towns of Beekman and Union Vale	Coviello		20
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		21
District 24 - Towns of Dover and Union Vale	Surman		22
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		23

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: ✓

Total : 2 23
 Yes No
 Abstentions: 0

JT/FA
 sponsors

Pg.10 Rule 4.5 A. after the word "members"
 1.25.16 add two members Not four and
 2016 019 this Rule should actually be adhered to

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert		
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incorriato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: ✓

Total : _____
 Yes _____ No _____
 Abstentions: _____

J Tyner Delete Rule 4.11
 in it's entirety

2016019
 1-25-16

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert		1
District 17 - Town and Village of Fishkill	Miccio		2
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		3
District 20 - Town of Red Hook	Strawinski	1	
District 14 - Town of Wappinger	Amparo	2	
District 1 - Town of Poughkeepsie	Nesbitt		4
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		5
District 4 - Town of Hyde Park	Black	3	
District 5 - Town of Poughkeepsie	Roman		6
District 6 - Town of Poughkeepsie	Flesland		7
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		8
District 8 - City and Town of Poughkeepsie	Brendli	4	
District 9 - City of Poughkeepsie	Rieser	5	
District 10 - City of Poughkeepsie	Jeter-Jackson	6	
District 11 - Towns of Rhinebeck and Clinton	Tyner	7	
District 12 - Town of East Fishkill	Metzger		9
District 15 - Town of Wappinger	Incoronato		10
District 16 - Town of Fishkill and City of Beacon	Forman		11
District 18 - City of Beacon and Town of Fishkill	Landisi		12
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		13
District 21 - Town of East Fishkill	Horton		14
District 22 - Towns of Beekman and Union Vale	Coviello		15
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		16
District 24 - Towns of Dover and Union Vale	Surman		17
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		18

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: ✓

Total : 7 18
 Yes No
 Abstentions: 0

JT / ms

1.25.16
 2016019

Rule 5.5 C strike wording
 after the word "items"
 (see attached)

- b) Presentations and Reports
- c) Privilege of the floor with respect to printed agenda items, except during budget review sessions of the Budget, Finance & Personnel Committee subject to Rule 5.13 (A) and the review session of the Capital Project Plan during Public Works and Capital Projects Committee
- d) Consideration of Resolutions with respect to printed agenda items
- e) Other Business
- f) Adjournment

C. A quorum shall be defined as a majority of the members of any given committee including the Chair of the Legislature, the Majority Leader, the Minority Leader, the Assistant Majority Leader, and the Assistant Minority Leader.

For the purpose of conducting the business of any given committee, a quorum must be maintained. Except as provided in Rule 4.13, once a quorum has been established all voting shall be decided by a majority of those present and voting, including the Chair of the Legislature, the Majority Leader, the Minority Leader, the Assistant Majority Leader and the Assistant Minority Leader. Except as provided in Rule 4.13, all committee determinations shall be on recorded roll call vote of a majority of those present and voting. All votes shall be cast in person in open session of the committee.

D. The chair of a committee shall not close debate so long as any member of the committee who has not exhausted his/her right to debate desires the floor, except by order of the committee, which requires a 2/3 majority of those members present. Every member of the committee present shall have the opportunity to speak at least once for a period not to exceed ten minutes.

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	1	
District 17 - Town and Village of Fishkill	Miccio	2	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	3	
District 20 - Town of Red Hook	Strawinski	4	
District 14 - Town of Wappinger	Amparo	5	
District 1 - Town of Poughkeepsie	Nesbitt	6	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	7	
District 4 - Town of Hyde Park	Black	8	
District 5 - Town of Poughkeepsie	Roman	9	
District 6 - Town of Poughkeepsie	Flesland	10	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	11	
District 8 - City and Town of Poughkeepsie	Brendli	12	
District 9 - City of Poughkeepsie	Rieser	13	
District 10 - City of Poughkeepsie	Jeter-Jackson	14	
District 11 - Towns of Rhinebeck and Clinton	Tyner		1
District 12 - Town of East Fishkill	Metzger	15	
District 15 - Town of Wappinger	Incoronato	16	
District 16 - Town of Fishkill and City of Beacon	Forman	17	
District 18 - City of Beacon and Town of Fishkill	Landisi	18	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	19	
District 21 - Town of East Fishkill	Horton	20	
District 22 - Towns of Beekman and Union Vale	Coviello	21	
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	22	
District 24 - Towns of Dover and Union Vale	Surman	23	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn	24	

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: —

Total : 24 1
 Yes No
 Abstentions: 0

2016019 ADOPTION OF THE PERMANENT RULES OF THE DUTCHESS COUNTY LEGISLATURE

Date: January 25, 2016

RESOLUTION NO. 2016020

RE: DELEGATION OF AUTHORITY WITH RESPECT
TO CORRECTING ERRORS ON TAX ROLLS

Legislators FLESLAND, BOLNER, SAGLIANO, and JETER-JACKSON
offer the following and move its adoption:

WHEREAS, Section 554 of the Real Property Tax Law requires that the tax levying body approve or reject an application to correct a claimed clerical error, an unlawful entry, or error in essential fact in a tax roll, and

WHEREAS, Section 554 of the Real Property Tax Law allows the tax levying body to delegate the authority vested in it pursuant to Section 554 of the Real Property Tax Law to the Commissioner of Finance, NOW, THEREFORE, BE IT

RESOLVED, that the Dutchess County Legislature hereby designates the Dutchess County Commissioner of Finance as the official authorized to approve or reject applications to correct claimed clerical errors, unlawful entries, or errors in essential fact in a tax roll pursuant to Section 554 of the Real Property Tax Law, and be it further

RESOLVED, that the Dutchess County Commissioner of Finance's authority is applicable only where the recommended correction is TWO THOUSAND FIVE HUNDRED DOLLARS and 00/100 (\$2,500.00) or less, and be it further

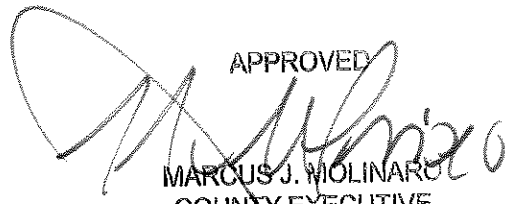
RESOLVED, that this resolution and the delegation authority it grants shall only be in effect during the calendar year in which it is adopted, and be it further

RESOLVED, that when the Commissioner of Finance denies the correction in whole or part, or the correction requested is an amount in excess of \$2,500.00, the Commissioner of Finance shall submit to the County Legislature for its review and disposition, the report and recommendation of the Director of Real Property Tax together with both copies of the application and the reason for the denial, and be it further

RESOLVED, that on or before the 15th day of each month, the Dutchess County Commissioner of Finance shall submit a report to County Legislature of the corrections processed during the preceding month, and the report shall indicate the name of each recipient, the location of the property and the amount of the correction, and be it further

RESOLVED, that this resolution shall be filed in the Offices of the Dutchess County Clerk and the Clerk of the Dutchess County Legislature.

CA-003-16
CEN/kvh/G-0145
12/31/15
Fiscal Impact: None

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 1/29/2016

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 25th day of January 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 25th day of January 2016.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (VC)		
District 6 - Town of Poughkeepsie	Flesland (C)		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 22 - Towns of Beekman and Union Vale	Coviello		

Present: 12
Absent: 0
Vacant: 0

Resolution: ✓
Motion:

Total : 12 0
Yes No
Abstentions: 0

2016020 DELEGATION OF AUTHORITY WITH RESPECT TO CORRECTING ERRORS ON TAX ROLLS

Date: January 21, 2016

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

Present: 25

Resolution: ✓

Total : 25

0

Absent: 0

Motion:

Yes

No

Vacant: 0

Abstentions: 0

2016020 DELEGATION OF AUTHORITY WITH RESPECT TO CORRECTING ERRORS ON TAX ROLLS

Date: January 25, 2016

RESOLUTION NO. 2016021

RE: DELEGATION OF AUTHORITY WITH RESPECT TO
CERTAIN REAL PROPERTY TAX REFUNDS

Legislators FLESLAND, BOLNER, SAGLIANO, and JETER-JACKSON offer the following and move its adoption:

WHEREAS, Section 556 of the Real Property Tax Law requires that the tax levying body approve or reject an application for a tax refund requested for a claimed unlawful entry, clerical error or error in essential fact, and

WHEREAS, Section 556 of the Real Property Tax Law allows the tax levying body to delegate the authority to perform the duties of such tax levying body, and

WHEREAS, said delegation is considered a Type II action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA") and does not require environmental impact statements or any other determination or procedure under Part 617, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby designates the Dutchess County Commissioner of Finance as the official who shall be authorized to make property tax refunds in accordance with applicable provisions of Section 556 of the Real Property Tax Law, and be it further

RESOLVED, that the Dutchess County Commissioner of Finance's authority is applicable only where the recommended refund is TWENTY FIVE HUNDRED DOLLARS and 00/100 (\$2,500.00) or less, and be it further


RESOLVED, that this resolution and the delegation authority it grants shall only be in effect during the calendar year in which it is adopted, and be it further

RESOLVED, that in accordance with Section 556 of the Real Property Tax Law, where the Commissioner of Finance denies the refund or credit, in whole or in part, or where the requested amount is in excess of the amount authorized, the Commissioner shall transmit to the Legislature the report of the Director of Real Property Tax Services, together with both copies of the application, and the reason the Commissioner denied the refund, for review and disposition by the Legislature, and be it further

RESOLVED, that on or before the 15th day of each month, the Dutchess County Commissioner of Finance shall submit a report to the County Legislature of the refunds processed during the preceding month, which report shall contain the name of the recipient, the location of the property, and the amount of the refund, and be it further

RESOLVED, that this resolution shall be filed in the Offices of the Dutchess County Clerk and the Clerk of the Dutchess County Legislature.

CA-002-16
CEN/kvh
12/31/15
G-0145
Fiscal Impact: None

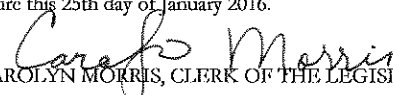
APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 1/29/2016

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 25th day of January 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 25th day of January 2016.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 3 - Town of LaGrange	Borchert *	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (VC)		
District 6 - Town of Poughkeepsie	Flesland (C)		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 22 - Towns of Beekman and Union Vale	Coviello		

Present:	<u>12</u>	Resolution:	<u>✓</u>	Total :	<u>12</u>	<u>0</u>
Absent:	<u>0</u>	Motion:	<u> </u>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2016021 DELEGATION OF AUTHORITY WITH RESPECT TO CERTAIN REAL PROPERTY TAX REFUNDS

Date: January 21, 2016

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

Present: 25

Absent: 0

Vacant: 0

Resolution: ✓

Motion:

Total : 25 0

Yes No

Abstentions: 0

2016021 DELEGATION OF AUTHORITY WITH RESPECT TO CERTAIN REAL PROPERTY TAX REFUNDS

Date: January 25, 2016

RESOLUTION NO. 2016022

RE: CONFIRMING REAPPOINTMENTS TO THE
DUTCHESS COUNTY PLANNING BOARD

Legislators SAGLIANO, MICCIO, BOLNER, JETER-JACKSON, FLESLAND, FORMAN, LANDISI, WASHBURN, and ROMAN offer the following and move its adoption:

WHEREAS, Section 12.03 of the Dutchess County Charter, entitled "Planning Board; Appointment; Vacancies", establishes an advisory Planning Board consisting of thirteen (13) members, all of whom shall be residents of Dutchess County;

WHEREAS, Section 12.03 of said Charter empowers the County Executive to appoint nine (9) members to the Dutchess County Planning Board including one member from the City of Poughkeepsie and one member from the City of Beacon subject to confirmation by the Dutchess County Legislature, and

WHEREAS, Section 12.03 of said Charter provides for the Dutchess County Legislature to appoint four (4) members to the Dutchess County Planning Board, and

WHEREAS, Section 12.03 of said Charter further empowers the County Executive to make appointments to the Dutchess County Planning Board for the purpose of filling new appointments and vacancies thereon, and

WHEREAS, Section 12.03 of the Charter provides that with reference to both County Executive and Legislative appointments, all subsequent appointments to fill vacancies resulting from the expiration of terms shall be for three years, and

WHEREAS, in Resolution No. 2015160, J. Randall Williams, residing at 1218 North Avenue, Beacon, New York, term of appointment was incorrectly listed as 1/1/2015-12/31/2017, and

WHEREAS, the correct term of appointment for J. Randall Williams, is 01/01/2014-12/31/2016,

WHEREAS, the Dutchess County Planning Board currently has two (2) County Executive appointed members whose terms are expiring, and said members wish to be reappointed, now, therefore, be it

RESOLVED, that the following individuals be reappointed to serve as volunteer members of the Dutchess County Planning Board:

REAPPOINTMENTS

TERM

James Nelson
5 Seaman Road
Poughkeepsie, NY 12601

(City of Poughkeepsie)
1/1/2016 - 12/31/2018

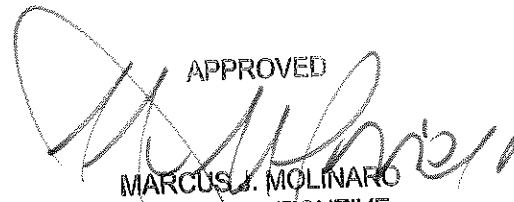
John Weisman
15 Trotter Lane
Poughkeepsie, NY 12603

(Town of Poughkeepsie)
1/1/2016 - 12/31/2018

And be it further

RESOLVED, that Resolution No. 2015160 that was adopted by this Legislature on June 8, 2015 is hereby amended to the extent reflect that the correct term of appointment for J. Randall Williams is 01/01/2014-12/31/2016.

CA-179-15
1/22/16 G-0180
Fiscal Impact: None.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 1/22/2016

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 25th day of January 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 25th day of January 2016.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☒ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ _____

Total Current Year Revenue \$ _____
and Source

Source of County Funds *(check one)*: ☐ Existing Appropriations, ☐ Contingency,
☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☐ Other *(explain)*.

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____
Over Five Years: _____

Additional Comments/Explanation:

No fiscal impact.

Prepared by: Eoin Wrafter, Commissioner

Prepared On: 11/06/2015

Discussion on Resolution No. 2016022 proceeded as follows:

Legislator Bolner moved to amend the foregoing resolution, duly seconded by Legislator Miccio, to add the following:

WHEREAS, in Resolution No. 2015160, J. Randall Williams, residing at 1218 North Avenue, Beacon, New York, term of appointment was incorrectly listed as 1/1/2015-12/31/2017, and

WHEREAS, the correct term of appointment for J. Randall Williams, is 01/01/2014-12/31/2016,

Legislator Forman requested to be added as a sponsor.

Roll call on the foregoing resolution resulted as follows:

AYES: 25 Borchert, Miccio, Bolner, Strawinski, Amparo, Black,
 Brendli, Coviello, Flesland, Forman, Horton, Incoronato,
 Jeter-Jackson, Landisi, Metzger, Nesbitt, Pulver, Rieser,
 Roman, Sagliano, Surman, Thomes, Truitt, Tyner,
 Washburn

NAYS: 0

The foregoing resolution was adopted.

Environment Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *		
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 9 - City of Poughkeepsie	Rieser		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 16 - Town of Fishkill and City of Beacon	Forman (C)		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn (VC)		

Present: <u>12</u>	Resolution: <u>✓</u>	Total : <u>12</u> <u>0</u>
Absent: <u>0</u>	Motion: <u> </u>	Yes No
Vacant: <u>0</u>		Abstentions: <u>0</u>

2016022 CONFIRMING REAPPOINTMENTS TO THE DUTCHESS COUNTY PLANNING BOARD

Date: January 21, 2016

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: ✓

Total : 25 0
 Yes No
 Abstentions: 0

JB/JM

Amendment attached in
 bold

1.25.16
 2016022

RESOLUTION NO. 2016022

RE: CONFIRMING REAPPOINTMENTS TO THE
DUTCHESS COUNTY PLANNING BOARD

Legislators SAGLIANO, MICCIO, BOLNER, JETER-JACKSON, FLESLAND, FORMAN, LANDISI, WASHBURN, and ROMAN offer the following and move its adoption:

WHEREAS, Section 12.03 of the Dutchess County Charter, entitled "Planning Board; Appointment; Vacancies", establishes an advisory Planning Board consisting of thirteen (13) members, all of whom shall be residents of Dutchess County;

WHEREAS, Section 12.03 of said Charter empowers the County Executive to appoint nine (9) members to the Dutchess County Planning Board including one member from the City of Poughkeepsie and one member from the City of Beacon subject to confirmation by the Dutchess County Legislature, and

WHEREAS, Section 12.03 of said Charter provides for the Dutchess County Legislature to appoint four (4) members to the Dutchess County Planning Board, and

WHEREAS, Section 12.03 of said Charter further empowers the County Executive to make appointments to the Dutchess County Planning Board for the purpose of filling new appointments and vacancies thereon, and

WHEREAS, Section 12.03 of the Charter provides that with reference to both County Executive and Legislative appointments, all subsequent appointments to fill vacancies resulting from the expiration of terms shall be for three years, and

WHEREAS, in Resolution No. 2015160, J. Randall Williams, residing at 1218 North Avenue, Beacon, New York, term of appointment was incorrectly listed as 1/1/2015-12/31/2017, and

WHEREAS, the correct term of appointment for J. Randall Williams, is 01/01/2014-12/31/2016,

WHEREAS, the Dutchess County Planning Board currently has two (2) County Executive appointed members whose terms are expiring, and said members wish to be reappointed, now, therefore, be it

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
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District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
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District 10 - City of Poughkeepsie	Jeter-Jackson		
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District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
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District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion:

Total : 25 0
 Yes No
 Abstentions: 0

2016022 CONFIRMING REAPPOINTMENTS TO THE DUTCHESS COUNTY PLANNING BOARD

Date: January 25, 2016

RESOLUTION NO. 2016023

RE: DECLARING DUTCHESS COUNTY LEAD AGENCY FOR PURPOSES
OF MAKING A FINDING OF ENVIRONMENTAL SIGNIFICANCE IN
CONNECTION WITH THE CONSTRUCTION OF THE DUTCHESS
COUNTY JUSTICE AND TRANSITION CENTER PROJECT

Legislators FORMAN, SAGLIANO, LANDISI, WASHBURN, NESBITT, and
TRUITT offer the following and move its adoption:

WHEREAS, the Dutchess County Department of Public Works, the Sheriff's
Office and the Jail staff have been working with the consultants on the Dutchess County Justice
and Transition Center Project, and

WHEREAS, a preferred concept has emerged from all of the various meetings,
both public and internal, and

WHEREAS, the preferred concept or the "Project" for SEQRA purposes, is
described as follows: the removal of the existing Sheriff's Office/law enforcement building and
garage, removal of the north wing of the jail, dismantling of the temporary housing pods, and
removal of portions of the former Taylor Manufacturing Building, as well as construction of an
addition to the remaining portion of the jail, law enforcement storage, and new Sheriff's Office
law enforcement center. The Project will include a combination of repurposing existing facilities
and construction of new facilities to address current and future needs, and

WHEREAS, Dutchess County has identified the proposed action as an Type I
Action and the County has prepared a Full Environmental Assessment Form (FEAF) for the
project, and

WHEREAS, Dutchess County has circulated Part 1 of the FEAF to the other
involved agencies, namely: the New York State Department of Transportation, New York State
Department of Environmental Conservation (Region 3), New York State Commission of
Correction, New York State Division for Historic Preservation, Dutchess County Department of
Health, City of Poughkeepsie Engineering, City of Poughkeepsie Water Department, and City of
Poughkeepsie Sewer Department, and

WHEREAS, 6 NYCRR 617 requires the designation of a lead agency from
among any involved agencies before a determination of significance can be made, and


WHEREAS, a determination of significance must be made before project can
commence, and

WHEREAS, it is the purpose of this resolution to formalize and establish
Dutchess County as the lead agency for the review of the above-referenced project pursuant to
the New York State Environmental Quality Review Act, now therefore, be it

RESOLVED, that Dutchess County hereby assumes lead agency status for the Project involving the construction of the Dutchess County Justice and Transition Center Project which is described as the removal of the existing Sheriff's Office/law enforcement building and garage, removal of the north wing of the jail, dismantling of the temporary housing pods, and removal of portions of the former Taylor Manufacturing Building, as well as construction of an addition to the remaining portion of the jail, law enforcement storage, and new Sheriff's Office law enforcement center. The Project will include a combination of repurposing existing facilities and construction of new facilities to address current and future needs, and, be it further

RESOLVED, that following its review of the above referenced project the County Legislature, on behalf of the County of Dutchess, will consider a resolution determining the environmental significance of the project.

CA-144-15
CAB/kvh/G-1582-S
8/17/15 updated 1/27/16
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 2/9/2016

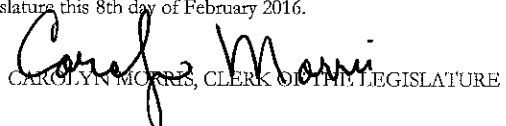
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8th day of February 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8th day of February 2016.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☒ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ _____

Total Current Year Revenue \$ _____
and Source

Source of County Funds *(check one)*: ☐ Existing Appropriations, ☐ Contingency,
☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☐ Other *(explain)*.

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____
Over Five Years: _____

Additional Comments/Explanation:

The involved resolution would declare the County of Dutchess as Lead Agency for the coordinated SEQR review of the construction of the Dutchess County Justice and Transition Center. The project would be funded through a separate resolution.

Prepared by: Brad Barclay

Prepared On: _____

County of Dutchess

Proposed Action: PLANNED DUTCHESS COUNTY JUSTICE AND TRANSITION CENTER

NOTICE TO INVOLVED AGENCIES THAT LEAD AGENCY MUST BE DESIGNATED WITHIN THIRTY (30) DAYS

August 7, 2015

This Notice is issued pursuant to Part 617.6 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law to designate a lead agency.

Dutchess County has been working diligently over the last several years to identify improvements to the Dutchess County Jail to address overcrowding, regulatory mandates and operational improvements at the current facilities located at the North Hamilton Street and Parker Avenue campus in the City of Poughkeepsie.

A series of concepts and alternative have been evaluated to address these needs and a preferred concept for the Dutchess County Justice and Transition Center ("the Project") has been proposed. The Project will involve the removal of the existing Sheriff's Office law enforcement building and garage, removal of the north wing of the jail, dismantling of the temporary housing pods, and removal of portions of the former Taylor Manufacturing Building. The Project also includes construction of an addition to the remaining portion of the jail, law enforcement storage, and new Sheriff's Office law enforcement center. The Project will include a combination of repurposing existing facilities and construction of new facilities to address current and future needs.

The proposed action has been determined to be a Type I Action, pursuant to the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617. Dutchess County has completed Part 1 of an FEA, which has identified other involved agencies for the proposed action.

LEAD AGENCY DESIGNATION

Under the applicable standards of SEQR 6 NYCRR Part 617.6(b), the County of Dutchess concludes that it should be designated as the lead agency in the coordinated environmental review of the proposed action. This notification is being sent to involved agencies with the request that you consent to our agency serving as lead agency. If, however, you do not agree, you may follow the procedures outlined in 6 NYCRR 617.6(b)(5).

This Notice is being mailed on August 7, 2015. We would ask that each involved agency fill out the annexed form either consenting or not consenting that our agency

serve as lead agency and return it in the self-addressed stamped envelope for receipt prior the expiration of the required thirty day notice period. Responses should be sent to the within named contact person, who may be contacted for further information.

IF YOU DO NOT RESPOND WITHIN THIRTY (30) DAYS, IT WILL BE INTERPRETED AS CONSENT THAT THE COUNTY OF DUTCHESS SERVE AS LEAD AGENCY. YOU WILL CONTINUE TO BE NOTIFIED OF SEQR DETERMINATIONS AND ANY LATER PROCEEDINGS AND HEARINGS, AS PROVIDED BY LAW.

LEAD AGENCY NOTICE
DATA SHEET

Name of Action/Project: DUTCHESS COUNTY JUSTICE AND TRANSITION CENTER

Name of Applicant: County of Dutchess

Name of Agency Dutchess County Department of Public Works
Sending this Notice: Dutchess County Sheriff's Office

SEQR Status: ☒ Type I Action based on the following thresholds:
The project proposes in excess of 100,000 SF of new floor area as according to the SEQRA regulations 617.4 (b) 6 (iv). The project is also close to 10 acres (9.9 acres estimated) of site disturbance which is also a Type I threshold.

☐ Other thresholds may apply.

☐ Unlisted Action

Description of Action: PLANNED DUTCHESS COUNTY JUSTICE AND TRANSITION CENTER

Location of Action: 150 and 182 N. Hamilton Street and 104 and 108 Parker Avenue, Poughkeepsie, NY 12601

Tax Map No.(s): 6162-62-238330, 6162-54-240389, 6162-54-213405, 6162-54-238399 & 6162-54-236411

Size of parcel(s): 7.84, 1.99, 0.16, 0.38 & 2.24 acres

Size of Project area: 12.61 +/- acres

For further information:
CONTACT PERSON

Noel Knille, AIA, ASLA
Commissioner
Dutchess County Dept. of Public Works
626 Dutchess Turnpike
Poughkeepsie, NY 12603
Phone: (845) 486-2085

Thank you for your cooperation.

DATED: August 7, 2015

ATTACHMENTS TO THIS NOTICE:

[X] Full Environmental Assessment Form (EAF) Part 1
[X] Proposed Site Plan Map

A copy of this Notice is being sent to:
INVOLVED AGENCIES

NYS Department of Environmental Conservation
Region 3
Permits Division
21 South Platt Corners Road
New Paltz, NY 12561-1696

NYS Department of Transportation
NYSDOT Region 8
SEQR unit
Eleanor Roosevelt State Office Building
4 Burnett Boulevard
Poughkeepsie, NY 12603

New York State Commission of Correction
Atten: Thomas A. Beilein, Chairman
Alfred E. Smith State Office Building
12th Floor
80 S. Swan Street, Albany NY 12210

New York State Division for Historic Preservation
Atten: Ruth L. Pierpont, Deputy Commissioner for Historic Preservation
Peebles Island Resource Center
Delaware Avenue
Cohoes, NY 12047

Dutchess County Department of Health
85 Civic Center Plaza - Suite 106
Poughkeepsie, NY 12601

City of Poughkeepsie Engineering
City Hall
2nd floor
62 Civic Center Plaza
Poughkeepsie, NY 12601

City of Poughkeepsie Water Department
70-74 Waterworks Road
Poughkeepsie, NY 12603

INVOLVED AGENCIES (Cont.)

City of Poughkeepsie Sewer Department
70-74 Waterworks Road
Poughkeepsie, NY 12603

STATE OF NEW YORK
COUNTY OF DUTCHESS

Proposed Lead Agency: County of Dutchess

Name of Proposed

Action/Project: **PLANNED DUTCHESS COUNTY JUSTICE AND TRANSITION
CENTER**

**RESPONSE TO REQUEST THAT THE ABOVE NAMED AGENCY SERVE AS LEAD
AGENCY REGARDING THE ABOVE ACTION**

On behalf of _____, I, _____, acknowledge
receipt of the Lead Agency Notice in this matter.

The above-named involved agency hereby:

[PLEASE CHECK ONE]

☐ **CONSENTS** that the proposed agency serve as lead agency in this
application and requests that the undersigned continue to be notified of SEQR
determinations, proceedings and hearings in this matter.

☐ **DOES NOT CONSENT** to the proposed agency serving as lead
agency in this application and wishes that _____ serve as
lead agency. To contest lead agency designation, the undersigned intends to
follow the procedures outlined in 6 NYCRR 617.6(b)(5).

☐ **TAKES NO POSITION** on Lead Agency designation.

DATED: _____,
_____, New York

Agency Name

By: _____
[signature]

[print signer's name]
Please return to:

MARCUS J. MOLINARO
COUNTY EXECUTIVE



NOEL H.S. KNILLE, AIA, ASLA
COMMISSIONER

ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

August 07, 2015

City of Poughkeepsie Sewer Department
~~4074 Water Works Road~~
Poughkeepsie, NY 12603 12601

c/o Engineering
2 Floor City Hall
62 Civic Center Plaza

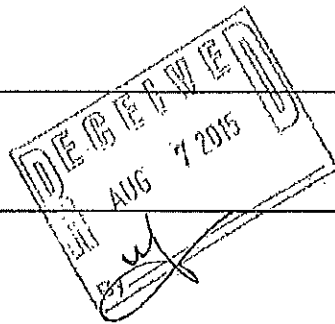
Acknowledgement of Hand Delivery of the Circulation for Lead Agency Letter and FEAF Part I
from Dutchess County for the SEQR review of the Dutchess County Justice and Transition
Center Project (DCJTCP).

RECEIVED BY:

NAME: _____ (please print)

SIGNATURE: _____

DATE: _____



MARCUS J. MOLINARO
COUNTY EXECUTIVE



NOEL H.S. KNILLE, AIA, ASLA
COMMISSIONER

ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

August 07, 2015

City of Poughkeepsie Engineering
City Hall, 2nd floor
62 Civic Center Plaza
Poughkeepsie, NY 12601

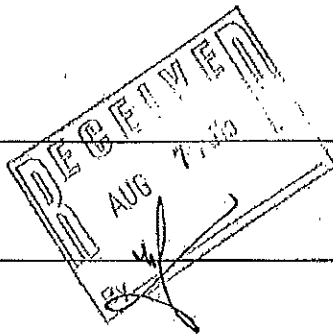
Acknowledgement of Hand Delivery of the Circulation for Lead Agency Letter and FEAF Part I
from Dutchess County for the SEQR review of the Dutchess County Justice and Transition
Center Project (DCJTCP).

RECEIVED BY:

NAME: _____ (please print)

SIGNATURE: _____

DATE: _____



MARCUS J. MOLINARO
COUNTY EXECUTIVE



NOEL H.S. KNILLE, AIA, ASLA
COMMISSIONER

ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

August 07, 2015

Dutchess County Department of Health
85 Civic Center Plaza, Suite 106
Poughkeepsie, NY 12601

Acknowledgement of Hand Delivery of the Circulation for Lead Agency Letter and FEAF
Part I from Dutchess County for the SEQR review of the Dutchess County Justice and
Transition Center Project (DCJTCP).

RECEIVED BY:

NAME: Hattie Johnson (please print)

SIGNATURE: Hattie Johnson

DATE: 8/7/15

MARCUS J. MOLINARO
COUNTY EXECUTIVE



NOEL H.S. KNILLE, AIA, ASLA
COMMISSIONER

ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

August 07, 2015

City of Poughkeepsie Water Department
70-74 Waterworks Road
Poughkeepsie, NY 12603

Acknowledgement of Hand Delivery of the Circulation for Lead Agency Letter and FEAF Part I
from Dutchess County for the SEQR review of the Dutchess County Justice and Transition
Center Project (DCJTCP).

RECEIVED BY:

NAME: Art Ziemias (please print)

SIGNATURE: [Signature]

DATE: 8/7/15

MARCUS J. MOLINARO
COUNTY EXECUTIVE



NOEL H.S. KNILLE, AIA, ASLA
COMMISSIONER

ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

August 07, 2015

NYS Department of Environmental Conservation (NYSDEC)
Region 3 - Permits Division
21 South Pitt Corners Road
New Paltz, NY 12561-1696

Acknowledgement of Hand Delivery of the Circulation for Lead Agency Letter and FEAF
Part I from Dutchess County for the SEQR review of the Dutchess County Justice and
Transition Center Project (DCJTCP).

RECEIVED BY:

NAME: G. Ahlers (please print)

SIGNATURE: [Signature]

RECEIVED

DATE: AUG 07 2015

Environmental Permits
NYSDEC Region 3 - New Paltz

MARCUS J. MOLINARO
COUNTY EXECUTIVE



NOEL H.S. KNILLE, AIA, ASLA
COMMISSIONER

ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

August 07, 2015

NYS Department of Transportation
NYSDOT Region 8 - SEQR Unit
Eleanor Roosevelt State Office Building
4 Burnett Boulevard
Poughkeepsie, NY 12603

Acknowledgement of Hand Delivery of the Circulation for Lead Agency Letter and FEAF
Part I from Dutchess County for the SEQR review of the Dutchess County Justice and
Transition Center Project (DCJTCP).

RECEIVED BY:

NAME: Maureen Vickner TerBush (please print)

SIGNATURE: Maureen Vickner TerBush

DATE: 8/7/15



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

September 14, 2015

Ms. Noel Knille
Commissioner
Dutchess County Department of Public Works
22 Market St
Poughkeepsie, NY 12601

Re: DEC
Dutchess County Justice and Transportation Center
150 North Hamilton Street, Poughkeepsie, NY 12601
15PR04654

Dear Ms. Knille:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the New York State Office of Parks, Recreation and Historic Preservation's opinion that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont

Deputy Commissioner for Historic Preservation

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com

7
STATE OF NEW YORK
COUNTY OF DUTCHESS

Proposed Lead Agency: County of Dutchess

Name of Proposed

Action/Project: PLANNED DUTCHESS COUNTY JUSTICE AND TRANSITION
CENTER

**RESPONSE TO REQUEST THAT THE ABOVE NAMED AGENCY SERVE AS LEAD
AGENCY REGARDING THE ABOVE ACTION**

On behalf of NYS DOT, I, Michael P. Manning, acknowledge
receipt of the Lead Agency Notice in this matter.

The above-named involved agency hereby:

[PLEASE CHECK ONE]

☒ **CONSENTS** that the proposed agency serve as lead agency in this
application and requests that the undersigned continue to be notified of SEQOR
determinations, proceedings and hearings in this matter.

☐ **DOES NOT CONSENT** to the proposed agency serving as lead
agency in this application and wishes that _____ serve as
lead agency. To contest lead agency designation, the undersigned intends to
follow the procedures outlined in 6 NYCRR 617.6(b)(5).

☐ **TAKES NO POSITION** on Lead Agency designation.

DATED: SEPT 2 2015
POUGHKEEPSIE, New York

NYS DOT
Agency Name
By: Michael P. Manning
[signature]
MICHAEL P. MANNING
[print signer's name]
Please return to:



Department of
Transportation

ANDREW M. CUOMO
Governor

JOAN McDONALD
Commissioner

WILLIAM J. GORTON, P.E.
Regional Director

September 2, 2015

SEP 15 2015

County of Dutchess
Department of Public Works
22 Market Street
Poughkeepsie, NY 12601

Re: NYSDOT SEQR #: 15-184
Dutchess County Justice Transition Center
North Hamilton Street
Poughkeepsie, NY - Dutchess County

To Whom It May Concern:

The New York State Department of Transportation is in receipt of FEAF, proposed site plan map and Lead Agency Designation Request from the County of Dutchess dated August 7, 2015.

County of Dutchess (as per mm on 9/9)
The Department consents to the Town Planning Board assuming the role of Lead Agency for review of the referenced proposal. As proposed, the project has minimal impact on the State Highway system and the Department has no additional comments at this time. The effort to involve the Department in the review process is appreciated.

Very truly yours,

Michael P. Manning
SEQRA – HW Permit Unit

cc: C. Walter, Permit Engineer, Residency 8-2
M. Sassi, Region 8 Highway Work Permit Coordinator

STATE OF NEW YORK
COUNTY OF DUTCHESS

Proposed Lead Agency: County of Dutchess

Name of Proposed

Action/Project: PLANNED DUTCHESS COUNTY JUSTICE AND TRANSITION
CENTER

RESPONSE TO REQUEST THAT THE ABOVE NAMED AGENCY SERVE AS LEAD
AGENCY REGARDING THE ABOVE ACTION

On behalf of NYS DOT, I, Michael P. Manning, acknowledge
receipt of the Lead Agency Notice in this matter.

The above-named involved agency hereby:

[PLEASE CHECK ONE]

☒ **CONSENTS** that the proposed agency serve as lead agency in this
application and requests that the undersigned continue to be notified of SEQRR
determinations, proceedings and hearings in this matter.

☐ **DOES NOT CONSENT** to the proposed agency serving as lead
agency in this application and wishes that _____ serve as
lead agency. To contest lead agency designation, the undersigned intends to
follow the procedures outlined in 6 NYCRR 617.6(b)(5).

☐ **TAKES NO POSITION** on Lead Agency designation.

DATED: SEPT 2 2015
POUGHKEEPSIE, New York

NYS DOT
Agency Name
By: Michael P. Manning
[signature]
MICHAEL P. MANNING
[print signer's name]
Please return to:

Background to
Resolution No. 2016 023

MARCUS J. MOLINARO
COUNTY EXECUTIVE



KARI REIBER, MD
COMMISSIONER

COUNTY OF DUTCHESS

DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH SERVICES

August 24, 2015

Noel Knille, Commissioner
Dutchess County Dept. of Public Works
626 Dutchess Turnpike
Poughkeepsie, NY 12603

Re: Dutchess County Justice and Transition Center
City of Poughkeepsie

Dear Commissioner:

The following is in response to your submission to this office generalizing environmental issues relative to above noted project. Said submission was made in the form of a SEQR package received on August 7, 2015.

1. This Department has no objection to the Dutchess County Department of Public Works serving as lead agency.
2. Simple direct service connections to existing municipal mains for public water supply and sewage disposal do not require Health Department approval.
3. The City of Poughkeepsie should be contacted to ensure the adequacy of their existing public water supply and sewage transmission / treatment infrastructure to handle the additional flows associated with this project.

Should you find that we can be of assistance please contact us at 486-3404.

Very truly yours,


Peter J. Marlow, P.E.
Supervising Public Health Engineer
Environmental Health Services

cc: Dan Keeler P.E. → file



Dutchess County Legislature

Scott L. Volkman
Legislative Counsel

22 Market Street, Poughkeepsie, NY 12601
Telephone: 845-486-2100 Fax: 845-486-2113

February 8, 2016

Legislator Francena I. Amparo, Assistant Minority Leader
Dutchess County Legislature
22 Market Street
Poughkeepsie, NY 12601

Re: **New York State Environmental Quality Review Act (SEQRA)**

Dear Legislator Amparo:

At the committee meeting you asked me to provide you with some research and case authority regarding the issue of segmentation as it pertains to the DCJTC or specifically current Resolution No. 2016023, which will declare Dutchess County as the lead agency for purposes of this project. We spoke briefly after the meeting, to try and get a fuller understanding of what you were seeking, since it was not clear to me that this project would fall within the traditional definition of a segmented project. You indicated that you wanted some research done so you could decide how to proceed.

There is a significant body of law as it pertains to the issue of segmentation under the New York State Environmental Quality Review Act (SEQRA). Until I know specifically what you are seeking it would be impossible to provide you a comprehensive legal analysis of the subject. I can only address the general issue of segmentation for you at this time, keeping in mind that the Legislature is only considering the assumption of lead agency status for the environmental review of this project and not the environmental review itself, which the Legislature will consider over the coming weeks culminating in a determination scheduled for March 21st. If the project was an improperly segmented project, that is a determination you would make during the environmental review process and consider while making your environmental determination. It would be premature to consider that the project is being segmented at this point when you are only confirming that Dutchess County is the lead agency for the environmental review.

REPLY TO: 1136 Route 9, Wappingers Falls, NY 12590
845-298-2000 Fax 845-298-2842
svolkman@dutchessny.gov
www.dutchessny.gov

In the first instance segmentation is a defined term under SEQRA regulations. It is defined as "the division of the environmental review of an action such that various activities or stages are addressed under this Part as though they were independent, unrelated activities, needing individual determinations of significance." The general provisions for SEQRA as established by the NYSDEC provides that an agency involved in an action cannot undertake affirmative approval of that action until it has complied with the provisions of SEQRA. "Actions" are generally defined to include "projects or physical activities, such as construction or other activities that may affect the environment by changing the use, appearance or condition of any natural resource or structure that are directly undertaken by an agency or involve funding by an agency or require one or more new or modified approvals from an agency or agencies. 6NYCRR § 617.3(g) states that "actions commonly consist of a set of activities or steps. The entire set of activities or steps must be considered the action, whether the agency decision-making relates to the action as a whole or to only a part of it. Considering only a part or segment of an action is contrary to the intent of SEQRA. If a lead agency believes that circumstances warrant a segmented review, it must clearly state its determination of significance, and any subsequent EIS, the supporting reasons and must demonstrate that such review is clearly no less protective of the environment."

In the SEQRA Handbook, a publication of the NYSDEC, it states that "there are two types of situations where segmentation typically occurs. One is where a project sponsor attempts to avoid a thorough environmental review (often EIS) of a whole action by splitting a project into two or more smaller projects. The second is where activities that may be occurring at different times or places are excluded from the scope of the environmental review. By excluding subsequent phases or associated project components from the environmental review, the project may appear more acceptable to the reviewing agencies and the public." As you are now aware after having received the environmental assessment form that this project consists of "removal of the existing Sheriff's Office law enforcement building, garage, and a portion of the existing jail building, and construction of an addition to the existing jail and two additional structures along the western project boundary for storage and kennel space. A new Sheriff's Office Law Enforcement Building will be constructed, repurposing a portion of the James Taylor Manufacturing building. Additional parking areas are proposed around the structures. Access points from Parker Avenue and North Hamilton Street will be maintained. The DCJTC project will contain 582 inmate beds at project completion, with the potential to expand to 660 beds." The EAF also identifies what appears to be five tax parcels consisting of 12.61 acres. I would suggest that if the County is trying to separate this project into separate projects, for instance one for the transition center and one for the sheriff's office and/or on a per parcel basis an argument could be made that there was an attempt to segment this process. However consistent with the handbook commentary this project is being considered in its totality at this time.

The DEC also has proposed a basic test in order to determine if segmentation is actually occurring. The test is as follows:

1. Purpose: Is there a common purpose or goal for each segment?
2. Time: Is there a common reason for each segment being completed at or about the same time?
3. Location: Is there a common geographic location involved?
4. Impacts: Do any of the activities being considered for segmentation share a common impact that may, if the activities are reviewed as one project, result in a potentially significant adverse impact, even if the impacts of single activities are not necessarily significant by themselves.
5. Ownership: Are the different segments under the same or common ownership or control?
6. Common Plan: Is a given segment a component of an identifiable overall plan? Will the initial phase direct the development of subsequent phases or will it preclude or limit the consideration of alternatives in subsequent phases?
7. Utility: Can any of the interrelated phases of various projects be considered functionally dependent on each other?
8. Inducement: Does the approval of one phase or segment commit the agency to approve other phases?

This test really is when you are considering potentially multiple projects. This test would actually indicate that based upon what is known at this time that segmentation is not occurring. There are certain circumstances where segmentation is allowed. That is not to say that is what is occurring here. Either way choosing to proceed with a segmented project or determining whether segmentation is even an issue or occurring is the responsibility of the lead agency. Therefore that is independent of the determination of lead agency status and would become evident during the environmental review which has yet to take place.

We can discuss the issue of segmentation further if you deem it necessary as this process proceeds. I do offer you some cases from the DEC which are not researched at this time but is offered by the DEC as examples of segmentation cases. If you review those cases set forth in the attachment you will see the types of matters which traditionally are cause for concern on the issue of segmentation. These cases are cited as examples by the DEC and would not suggest in any way that the current project is being segmented in any manner.

Yours very truly,


SCOTT L. VOLKMAN
LEGISLATIVE COUNSEL

SLV/dap

Enclosure

cc: Legislature
Carolyn Morris, Legislative Clerk
Ben Traudt, Assistant to Chairman

Segmentation

Citizens Concerned for the Harlem Valley Environment v. Town Board of the Town of Armenia, 264 AD2d 394 (2d Dept 1999)

The Town Board of Armenia issued a negative declaration for the rezoning of a parcel of land for mining and the development of a light industrial park. The negative declaration did not consider the environmental impacts of the mining. The Court found that the rezoning was an integral part of the mining proposal and held that the impacts of the mining had to be considered at the same time as the environmental review of the rezoning for the industrial park.

Concerned Citizens for the Environment v. Zagata, 243 AD2d 20 (3d Dept 1998)

The Court found that the Department of Environmental Conservation (DEC) was justified in

conducting a segmented review for a solid waste transfer station. The company submitted an application and a draft environmental impact statement to the DEC for a permit to construct and operate an integrated solid waste management facility consisting of 1) an incinerator, 2) a materials recovery facility and 3) a solid waste transfer station. Later the company submitted a new application seeking a permit for the construction and operation of only the transfer station. The record was found to contain ample support for the position that the solid waste transfer station would have independent utility from the incinerator and the materials recovery facility.

Stewart Park & Reserve Coalition v. New York State Department of Transportation, 157 AD 2d 1 (3d Dept 1990), affd 77 NY2d 970 (1991)

The Court determined that the Department of Transportation had rationally determined that it could conduct a separate review of the development of commercial air service at Stewart Airport from the development of plans for the surrounding buffer area based on the conclusion that the plans were not functionally dependent on each other.

Schodack Concerned Citizens v. Town Bd. of Schodack, 142 Misc 2d 590 (Sup Ct, Rensselaer County 1989), affd 148 AD2d 130 (3rd Dept 1989)

An EIS was prepared for the construction of a proposed supermarket warehouse distribution facility. The facility was designed to serve 23 retail supermarkets that were part of the long range plan of the sponsor. Project opponents felt that the lead agency had improperly segmented the review because it failed to consider the environmental impacts from the construction of the 23 supermarkets. The Court held that to require the EIS to consider the environmental impacts from each of these 23 individual stores was beyond the scope of the review for the distribution center and that each of the sites would be subjected to its own environmental review by the agency required to approve the location.

Village of Westbury v. Department of Transportation, 75 NY2d 62 (1989)

DOT issued a negative declaration for the reconstruction of a highway interchange. The Court found that the interchange reconstruction was closely linked to the widening of the Northern State Parkway which was also in the planning process and ruled that the projects must be considered as one action for the purposes of conducting an environmental review since they were complementary components of DOT's plan to alleviate traffic.

Karas v. Wallace, 134 Misc2d 1052 (4th Dept 1987) (Sup Ct, Saratoga County 1987)

The town board considered the construction of a single building on a large lot separately from other construction planned by the developer for the same site. The Court found that to allow piecemeal development of the site was impermissible segmentation.

Sutton v. Board of Trustees 122 AD2d 506 (3rd Dept 1986)

The Village approved the rezoning of a hospital property to allow two phases of construction of additional facilities. The negative declaration and approval was overturned because the Board considered only the impacts from the first phase of the project.

Kirk-Astor Drive Nbh. Assn. v. Town Bd. of Pittsford 106 A.D.2d 868 (4th Dept 1984)

The Board rezoned 64 acres from residential to manufacturing/office. The court held that it failed to comply with SEQRA because it considered only the impacts from the change in zoning classification and did not consider the impacts of the change from the current use (vacant) to manufacturing/office and that it failed to consider the impacts of the proposed project at the rezoning stage.

The foregoing Resolution No. 2016023 was pulled on January 19, 2016, and considered at the February 8, 2016, board meeting. At that time, discussion proceeded as follows:

Legislator Black made a motion, duly seconded by Legislator Strawinski, to amend the foregoing resolution by adding the following:

and, be it further

RESOLVED, that following its review of the above referenced project the County Legislature, on behalf of the county of Dutchess, will consider a resolution determining the environmental significance of the project.

Scott L. Volkman, Legislative Counsel, stated this language is substitute language from what had been proposed. The intention of the amendment, as I understand it, is to clarify and make it clear that it is this body that is going to be making the determination of environmental significance, positive declaration, negative declaration, whatever the case may be and not a government department or county government agency or anyone else who may have been involved in the circulation process. This is just intended to clarify that this body, and it is clear from our schedule that has been circulated, that this body will be considering a resolution of environmental significance at the March committee meeting and the March special meeting to make that determination and this merely clarifies that this body will be making that decision and not another county department.

Roll call on the foregoing amendments resulted as follows:

AYES: 25 Borchert, Miccio, Bolner, Strawinski, Amparo, Black,
 Brendli, Coviello, Flesland, Forman, Horton, Incoronato,
 Jeter-Jackson, Landisi, Metzger, Nesbitt, Pulver, Rieser,
 Roman, Sagliano, Surman, Thomes, Truitt, Tyner,
 Washburn

NAYS: 0

The foregoing amendment was adopted.

Legislator Tyner questioned the risk from vapor intrusion and also referenced PCE and TCE.

Majority Leader Miccio called point of order because Legislator Tyner's comments were not regarding declaring Dutchess County lead agency.

Chairman Borchert stated the Legislature was discussing the lead agency designation at this time and the environmental questions could be addressed as the review process moved forward at a future meeting.

Legislator Tyner spoke on the Chazen presentation.

Majority Leader Miccio called point of order because Legislator Tyner was speaking to items not on the agenda.

Chairman Borchert ruled Legislator Tyner out of order.

At this time, Chairman Borchert entertained a motion from the floor, which was seconded and carried, for a Democratic Caucus.

At this time, Chairman Borchert entertained a motion from the floor, which was seconded and carried, to resume the regular order of business.

Legislator Tyner spoke regarding groundwater contamination.

Legislator Flesland called point of order.

Chairman Borchert ruled Legislator Tyner out of order.

Roll call on the foregoing resolution resulted as follows:

AYES: 24 Borchert, Miccio, Bolner, Strawinski, Amparo, Black,
 Brendli, Coviello, Flesland, Forman, Horton, Incoronato,
 Jeter-Jackson, Landisi, Metzger, Nesbitt, Pulver, Rieser,
 Roman, Sagliano, Surman, Thomes, Truitt, Washburn

NAYS: 1 Tyner

The foregoing resolution was adopted.

Environment Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	1	
District 17 - Town and Village of Fishkill	Miccio*	2	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	3	
District 20 - Town of Red Hook	Strawinski*		1
District 14 - Town of Wappinger	Amparo*		2
District 9 - City of Poughkeepsie	Rieser		3
District 11 - Towns of Rhinebeck and Clinton	Tyner		4
District 12 - Town of East Fishkill	Metzger	4	
District 16 - Town of Fishkill and City of Beacon	Forman (C)	5	
District 22 - Towns of Beekman and Union Vale	Coviello	6	
District 24 - Towns of Dover and Union Vale	Surman	7	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn (VC)		

Present: 11
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion: —

Total : 7 4
 Yes No
 Abstentions: 0

2016023 DECLARING DUTCHESS COUNTY LEAD AGENCY FOR PURPOSES OF MAKING A FINDING OF ENVIRONMENTAL SIGNIFICANCE IN CONNECTION WITH THE CONSTRUCTION OF THE DUTCHESS COUNTY JUSTICE AND TRANSITION CENTER

Date: February 4, 2016

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	1	
District 17 - Town and Village of Fishkill	Miccio	2	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	3	
District 20 - Town of Red Hook	Strawinski	4	
District 14 - Town of Wappinger	Amparo	5	
District 1 - Town of Poughkeepsie	Nesbitt	6	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	7	
District 4 - Town of Hyde Park	Black	8	
District 5 - Town of Poughkeepsie	Roman	9	
District 6 - Town of Poughkeepsie	Flesland	10	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	11	
District 8 - City and Town of Poughkeepsie	Brendli	12	
District 9 - City of Poughkeepsie	Rieser	13	
District 10 - City of Poughkeepsie	Jeter-Jackson	14	
District 11 - Towns of Rhinebeck and Clinton	Tyner	15	
District 12 - Town of East Fishkill	Metzger	16	
District 15 - Town of Wappinger	Incoronato	17	
District 16 - Town of Fishkill and City of Beacon	Forman	18	
District 18 - City of Beacon and Town of Fishkill	Landisi	19	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	20	
District 21 - Town of East Fishkill	Horton	21	
District 22 - Towns of Beekman and Union Vale	Coviello	22	
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	23	
District 24 - Towns of Dover and Union Vale	Surman	24	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn	25	

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: ✓

Total: 25 0
 Yes No
 Abstentions: 0

HB/m s

Please see attached
 amendment

2016023

2.8.16

County to be a unitary agency. With that being said, I would like to offer clarity to this resolution based on what was stated Chazen's presentation on Thursday night.

This resolution needs to reflect that the Legislature is expected to make the key decision on the environmental significance of this project. This statement should be added in the Resolved section of the resolution.

And Be it Further Resolved, that

I would like to make a motion to amend the resolution by adding the following statement to the Resolved section: ~~A determination of environmental significance will be decided through a vote of the Legislature.~~ The County Legislature will have the authority to pass a resolution granting ^{that} positive or negative declaration as it pertains to the Dutchess County Justice and Transition Center Project to determine the environmental significance.

Following its review of the above referenced project the County Legislature in the best of the County of Dutchess will consider a resolution determining the environmental significance of the project.

and be it further

Resolved that following its review of the above referenced project the County Legislature, on behalf of the County of Dutchess will consider a resolution determining the environmental significance of the project.

H B / M S

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	1	
District 17 - Town and Village of Fishkill	Miccio	2	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	3	
District 20 - Town of Red Hook	Strawinski	4	
District 14 - Town of Wappinger	Amparo	5	
District 1 - Town of Poughkeepsie	Nesbitt	6	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	7	
District 4 - Town of Hyde Park	Black	8	
District 5 - Town of Poughkeepsie	Roman	9	
District 6 - Town of Poughkeepsie	Flesland	10	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	11	
District 8 - City and Town of Poughkeepsie	Brendli	12	
District 9 - City of Poughkeepsie	Rieser	13	
District 10 - City of Poughkeepsie	Jeter-Jackson	14	
District 11 - Towns of Rhinebeck and Clinton	Tyner		1
District 12 - Town of East Fishkill	Metzger	15	
District 15 - Town of Wappinger	Incoronato	16	
District 16 - Town of Fishkill and City of Beacon	Forman	17	
District 18 - City of Beacon and Town of Fishkill	Landisi	18	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	19	
District 21 - Town of East Fishkill	Horton	20	
District 22 - Towns of Beekman and Union Vale	Coviello	21	
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	22	
District 24 - Towns of Dover and Union Vale	Surman	23	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn	24	

Present:	<u>25</u>	Resolution:	<u>✓</u>	Total :	<u>24</u>	<u>1</u>
Absent:	<u>0</u>	Motion:	<u>—</u>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2016023 DECLARING DUTCHESS COUNTY LEAD AGENCY FOR PURPOSES OF MAKING A FINDING OF ENVIRONMENTAL SIGNIFICANCE IN CONNECTION WITH THE CONSTRUCTION OF THE DUTCHESS COUNTY JUSTICE, AND TRANSITION CENTER

RESOLUTION NO. 2016024

RE: REAPPOINTMENTS TO THE DUTCHESS COUNTY SOIL AND WATER
CONSERVATION BOARD

Legislators BORCHERT, LANDISI, and FORMAN offer the following and move its adoption:

WHEREAS, vacancies exist or will exist on the Dutchess County Soil and Water Conservation Board by reason of the expiration of the terms Legislator James J. Miccio, Legislator A. Gregg Pulver, and Mike Lawrence; and

WHEREAS, Legislator James J. Miccio and Legislator A. Gregg Pulver have expressed an interest in being reappointed to said Board; and

WHEREAS, Mike Lawrence has expressed interest in being reappointed to said board; and

RESOLVED, that the Dutchess County Legislature does hereby reappoint Legislator James J. Miccio, Legislator A. Gregg Pulver and Mike Lawrence to the Dutchess County Soil and Water Conservation Board for the term specified below; now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby appoint Mike Lawrence to the Dutchess County Soil and Water Conservation Board for the term specified below:

Reappointments

Term Expires

James J. Miccio
24 Broad Street
Fishkill, NY 12524
(Legislator)

December 31, 2016

A. Gregg Pulver
P.O. Box 704
Pine Plains, NY 12567
(Legislator)

December 31, 2016

Mike Lawrence
248 Smithfield Road
Amenia, NY 12501

December 31, 2018

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date

1/29/16

STATE OF NEW YORK

SS:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 25th day of January 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 25th day of January 2016.

Carolyn Morris
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Environment Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 9 - City of Poughkeepsie	Rieser		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 16 - Town of Fishkill and City of Beacon	Forman (C)		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn (VC)		

Present: 12

Resolution: ✓

Total : 12 0

Absent: 0

Motion:

Yes No

Vacant: 0

Abstentions: 0

2016024 REAPPOINTMENTS TO THE DUTCHES COUNTY SOIL AND WATER CONSERVATION BOARD

Date: January 21, 2016

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

Present: 25
 Absent: 0
 Vacant: 0

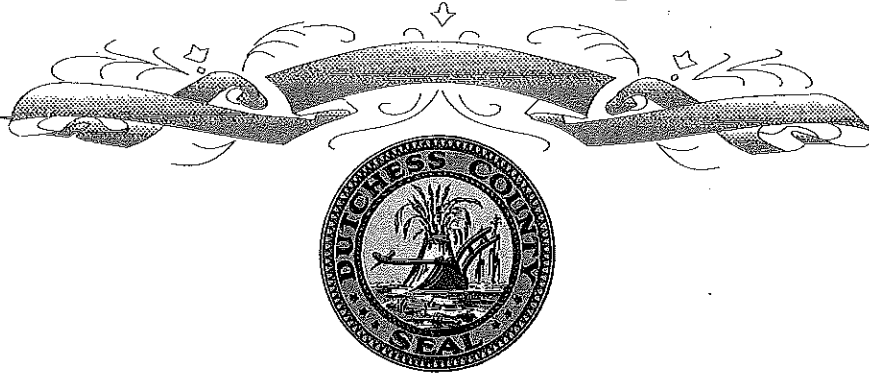
Resolution: ✓
 Motion: —

Total : 25 0
 Yes No
 Abstentions: 0

2016024 REAPPOINTMENTS TO THE DUTCHES COUNTY SOIL AND WATER
 CONSERVATION BOARD

Date: January 25, 2016

Dutchess County Legislature



Commendation: Eagle Scout Philip Anderson

Legislator Bolner offers the following and moves its adoption:

WHEREAS, Philip Anderson is a member of Boy Scout Troop 182 and has obtained the rank of Eagle Scout, which he will receive at a Court of Honor on January 16, 2016, and

WHEREAS, Philip Anderson has demonstrated a commitment to the highest ideals of Scouting and to his community earning 24 Merit Badges while obtaining the rank of Eagle Scout, and

WHEREAS, Eagle Scout Philip Anderson, with Troop 182, has held the positions of Patrol Leader Gummy Bears Patrol, Webmaster, Patrol Leader Superiors Patrol, Assistant Senior Patrol Leader, Senior Patrol Leader, Troop Guide, Mentor for Senior Patrol Leader, and Assistant Senior Patrol Leader; and is a member of the Order of the Arrow Nacha Nimat Lodge, and

WHEREAS, Philip's Eagle Scout Project was performed at Cardinal Hayes Home in Millbrook, New York, where he designed and re-purposed a room in an unused cottage into a dark sensory integration room which will be used to help the residents, students, and participants interact with the world through the senses of touch and sight through the use of dark colored paint (black and purple, regular and chalkboard), tactile wall panels (using a variety of surfaces), ceiling decorations, and black lighting with phosphorescent decorations and he also designed, built, and installed a work table (for the use of kinetic sand, etc.) all to the specifications of a therapist, and

WHEREAS, Philip is a Junior at Arlington High School where he is a member of the Interact Club where once a week he has lunch with a group of special education students, he participates in Relay for Life, is a NYSSMA participant and has performed with the All County Festival Band and the Downtown Symphony Orchestra and is involved in numerous service projects including cooking and/or serving meals at homeless shelters and food pantries with various youth and community groups, he is a member is the Troop 182 Christmas Band and he has participated in the LaGrange Annual Trash Clean up numerous times, he has recently discovered a passion for physics and is planning to take "Civic Engagement and Leadership in the Community" next semester hoping to integrate his passion for service into his education and he plans to attend college where his studies are likely to include physics and psychology, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate, Eagle Scout Philip Anderson, and, be it further

RESOLVED, that the Dutchess County Legislature, does hereby extend to Eagle Scout Philip Anderson, its best wishes in all of his future endeavors.

STATE OF NEW YORK

ss: Resolution No. 2016025

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 25th day of January 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 25th day of January 2016.

Carolyn Morris
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

On motion by Legislator Borchert, duly seconded by Legislator Bolner and carried, the Rules were suspended to allow the public to address the Legislature on agenda and non-agenda items.

Constantine Kazolias, Poughkeepsie, spoke regarding the Dutchess County Industrial Development Agency. He also spoke in favor of countywide police.

No one else wishing to speak, on motion by Legislator Landisi, duly seconded by Legislator Bolner and carried, the Regular Order of Business was resumed.

There being no further business, the Chairman adjourned the meeting at 7:39 p.m.